



## Planning Commission Staff Report

DATE: NOVEMBER 13, 2013

SUBJECT: PRAETOR INVESTMENT, LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 (PDD 333) AND TENTATIVE PARCEL MAP (TPM 35236) FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD.

FROM: DEPARTMENT OF PLANNING SERVICES

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### SUMMARY

On October 23, 2013, the Planning Commission considered a proposed amendment to the Dolce Hotel project and continued the hearing to a date certain of November 13, 2013. The Commission also directed that the applicant consider options of mitigating view impact issues associated with the project design. On October 6, 2013, the proposal was on the City Council's agenda but was continued with the direction to take it back to the Planning Commission for an action at the hearing of November 13, 2013. The previously approved Planned Development District (PD 333) and Tentative Parcel Map 35236 are for the construction of a 200-room hotel, 50 residential units and a parking structure on approximately 10.47 acres located at the northwest corner of Avenida Caballeros and Amado Road. As previously determined, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify the site plan and configuration of Tentative Tract Map 35236. The project site is within the boundaries of the Section 14 Master Plan Area.

### RECOMMENDATION:

Find the previously adopted Mitigated Negative Declaration (MND No. 200700845) sufficient; approve the proposed amendment and recommend approval of the amended Tentative Parcel Map to the City Council.

### ISSUES:

At the hearing of November 6, 2013, the City Council directed staff to bring the project back to the Planning Commission for an action at the November 13, 2013 meeting.

**BACKGROUND:**

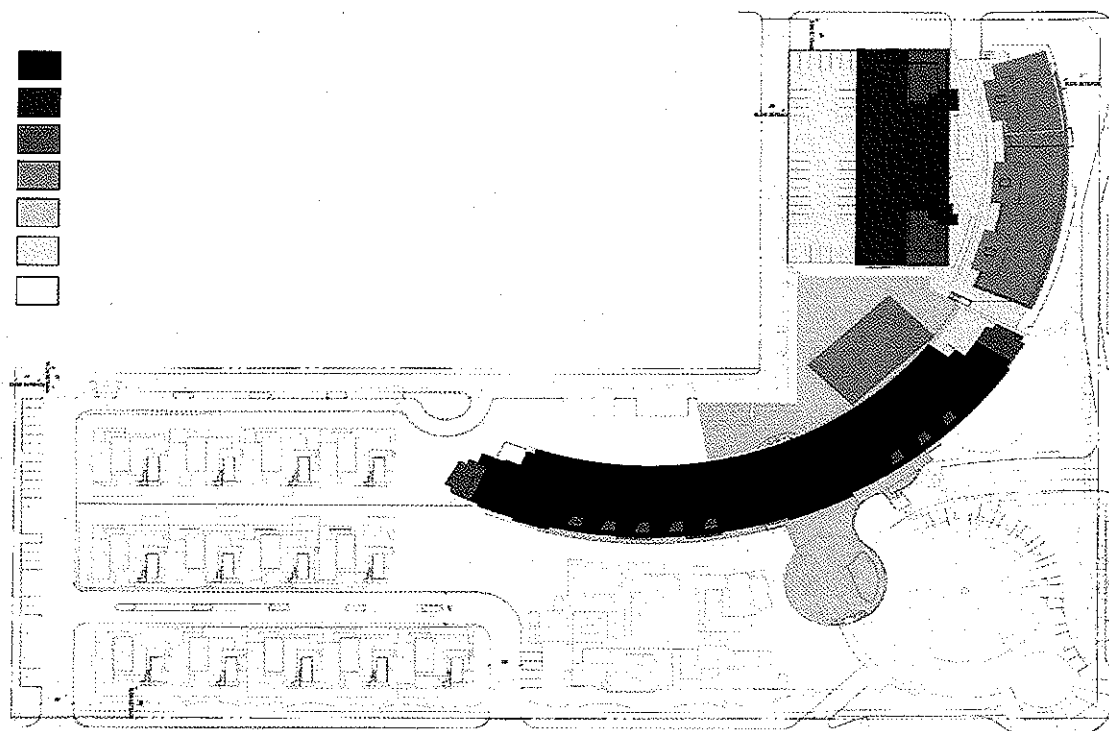
Since the last time the Commission considered the proposed amendment, the applicant has made some changes to the project. Some of the changes are as a result of inputs of the Planning Commission. Below are some of the actions and changes that have taken place since the Commission last saw this project.

**Meetings:**

On November 5, 2013, the applicant met with the pro Measure J group; on November 6, 2013, and November 7, 2013, the applicant met with the Center Court Community for a presentation of the revised project. There were five community residents in attendance at the November 6, 2013, meeting. Updates of the November 7, 2013, will be provided at the public hearing of November 13, 2013. Exhibits and submittals are on the website.

**Changes Made to the Project:**

- The main hotel building has been shifted diagonally to the south west creating more setbacks on the east face of the arc. This shift creates a setback from the east property line of 80 feet at the buildings northern most corner and 107 feet at center of the arc.
- The hotel guest rooms mix and placement in the main building has been modified in order to reduce the overall length by 30'. This coupled with the additional setback has shortened the overall building length by 40 feet, all taken from the north end.
- The parking garage has been modified to reduce its height by one level. This in turn reduced the overall height of the north facing condo building by 10 feet which is 14 feet below the height of the hotel and setback 90 feet from the north property line. The south facing condo building has also been reduced in height by 10 feet.



Revised Site Plan

***Building Height:***

The project site is located within the boundaries of the Section 14 Master Plan; per Section 6.2.5.1 (High-rise Buildings) of Section Specific Plan *"the maximum height of high-rise buildings shall be 100 feet including all appurtenances on the buildings, as measured from any point of natural elevation of the ground at the building line, before grading, to the maximum projection on top of the building above the same point"* The maximum height of the hotel is 56 feet; the height of the condominium unit to the northeast is 42 feet and the height of the condominium units to southeast is 25 feet.

**ENVIRONMENTAL DETERMINATION ANALYSIS:**

On July 18, 2007, the City Council of the City of Palm Springs adopted a Mitigated Negative Declaration (MND No. 200700845), and approved Case No. 5.1132-PDD 333, a Planned Development District application and Tentative Tract Map 35236. The approval also included a parking structure on the approximately 10.47 acres located at the northwest corner of Avenida Caballeros and Amado Road.

The proposed project will result in the construction of a 200 room hotel and 145 condominium units with a gross density of 33 units per acre. The project site is located in the High Density Residential land use designation under the Section 14 Master Plan. This designation allows development to a density of up to 43 units per acre. The proposed project occurs on lands totaling approximately 10.47 acres.

The project consists of the following components:

1. A mixed-use development consisting of a 200-room hotel to include an 8,000 square foot ballroom, a restaurant (2,760 sq. ft.), bar (4,260 sq. ft.), 8,400 square foot spa, and gourmet market 2,035 sq. ft.); with primary access from Amado Road. The structure will be 5 stories in height.
2. 145 condominium units, on 3, 4 and 5 stories with underground parking, and primary access from Calle Alvarado.
3. A 511 space parking structure, with a maximum height of 29 feet above grade.

On April 11, 2013, the owner of the previously approved Mondrian project submitted an application to modify the previously approved project. The modified project calls for a 200-room hotel, 50 residential units and associated parking structure. On June 12, 2013, the Planning Commission at its regularly scheduled public hearing meeting reviewed and unanimously approved the proposed Planned Development District amendment for the construction of 200-room hotel and 50 residential units. The project also includes a Tentative Tract Map (TTM 35236) to subdivide the approximately 10.7-acre property. As proposed, the amendment will not affect the intent of the previously established Planned Development District design standards but will modify site configuration and Tentative Parcel Map 35236.

Staff conducted an environmental analysis of the modified project under CEQA and made a finding that "Pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, the preparation of a Subsequent MND, Addendum to the MND or

further environmental documentation is not necessary because the changed circumstances of the project will not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The modified development, a proposal for 200-room hotel and 50 residential units would not result in any new environmental impacts beyond those already assessed in the previously adopted Mitigated Negative Declaration. (MND No. 200700845).

The Table below compares the previously approved PDD 333 and the modified proposal, PDD 333.

Comparison of Approved Project and Proposed PD-333 Amendment		
Type of Standard	Approved Project	Proposed PD-333 Amendment
Location	NWC of Ave Cab & Amado Rd	NWC of Ave Caballeros & Amado
Proposed Use	Mixed-use; Hotel & Residential	Mixed-Use; Hotel & Residential
Lot Size	10.47 Acres	10.47 Acres
Site Circulation	Ingress, egress, access and parking per City Standards	Ingress, egress, access and parking per City Standards
General Plan Density	43 units per acre	Same proposed
Zoning Ordinance Density	Hotel: 54 units/acre Residential: 29 units/acre	Same proposed Same proposed
Architecture	Contemporary	Mid-Century Modern / International
Phasing	3	N/A
Coverage	48%	43%
Front Setbacks	Amado Road: 30 feet Calle Alvarado: 30 feet	45 feet 32 feet
Side Setbacks	Avenida Caballeros: 30 feet	31 feet
Center Court Condos.	52 feet	80 feet
Rear Setbacks	18 feet Avenida Caballeros: 20 feet	20 feet 20 feet
Stories	5	5
Hotel Overall Length	504 feet	432 feet
Condos Overall Length	Parking Structure	210 feet
Height	64 feet	56 feet
Hotel Units	200	200
Residential Units	200	50
Fitness Facility	None	Yes
Event Spaces	Yes	Yes
Swimming Pools	1	2
Roof Top Terrace	None	Yes
Restaurant	One	Two
Parking; Hotel	Surface Parking	Below Grade Parking Structure
Parking; Residential	Surface Parking	Below Grade Parking Structure
Total Parking Spaces	238	398
Access into hotel	Street Level Entry Point	Below Grade Entry Lobby
Common Open Space	52%	47% excluding patios & balconies
Mitigation Measures	Mitigation Measures from MND No. 200700845	Same Mitigation Measures will apply to the proposed modified project

Staff evaluated the modified project and determined that its environmental effects would be the same or less than the project as evaluated in the MND. Specifically, these sections of the MND were evaluated:



*Aesthetics:*

The overall permitted height of the project has been reduced resulting in reduced aesthetic impacts, including reduced impacts to view corridors. The conclusions in the original MND will apply to the modified project. The original Initial Study included visual simulations of the buildings in the area. Simulations were completed to assess the impacts to surrounding development; as they show, the impacts will vary from location to location. The most noticeable change will occur on the west side of the existing Center Court project, where the back of the hotel will be located. However, with the inclusion of project landscaping, it is believed that the surfaces of the building will be softened at this location. In addition, it is important to note that the residential units in this area of Center Court have rear patios facing east, not west, and that therefore back yard views will not be affected.

*Agriculture Resources:*

The project site is surrounded by developed residential property and neither the site nor its adjacent uses are designated as farmland or are subject to a Williamson Act contract. The conclusions in the original MND apply to the modified project.

*Air Quality:*

The proposed mixed-use development consisting of hotel and residential development are not likely to create additional impacts beyond those already evaluated in the MND. Given the fact that the new project is less in size and scope, the development is likely to have less construction and operational-related emissions. The conclusions and mitigation measures in the MND apply to the modified project.

*Biological Resources:*

The project site is still located in a developed, urban area and the project site was previously developed and disturbed. The conclusions in the MND apply to the modified project.

*Cultural Resources:*

The project site is still located in a developed, urban area and the project site was previously developed and disturbed. The conclusions and mitigation measures in the MND apply to the modified project.

*Geology and Soils:*

The geologic conditions of the project site are unchanged. The conclusions and mitigation measures in the MND apply to the modified project.

*Hazards and Hazardous Materials:*

The conclusions and mitigation measures in the MND apply to the modified project.

*Hydrology and Water Quality:*

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

*Land Use:*

The proposed changes to the project have not changed the designated land use of the

subject site; moreover there are no significant changes in the surrounding land uses that could change the circumstances of the project. The surrounding land uses are predominantly residential and that has not changed since the MND was adopted. The original project was approved for a 200-unit hotel and 143 residential development; in light of this, staff made a determination that there is no conflict with the applicable land use designation. The conclusions and mitigation measures in the previously adopted MND will apply to the modified project.

*Mineral Resources:*

No significant mineral resources have been identified in the project area. The conclusions and mitigation measures in the MND apply to the modified project.

*Noise:*

As with the original project, it is not anticipated that the changed project will generate additional noise in the project area. As with all construction activities within the City, the applicant will be conditioned to comply with all construction regulations including construction hours prescribed in the City's Municipal Code. Furthermore, this use will be required to comply with the provisions of Section 11.74 Noise Ordinance of the Palm Springs Municipal Code. The conclusions and mitigation measures in the MND apply to the modified project.

*Population and Housing:*

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

*Public Services:*

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

*Recreation:*

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

*Traffic:*

The new project is proposing to build a 200-room hotel, 50 residential units and a parking structure, this represents a decrease in size; and because the change is less than the previously approved project, it is highly unlikely that the changed project would cause an increase in traffic that will be substantial when compared to the existing traffic load and capacity of Amado Road, Avenida Caballeros and Calle Alvarado. The only change in the immediate vicinity of the project location is the construction of the 43-unit Morrison residential development north of the site and the 46-unit Sol residential development east of the Dolce site. It should be noted that back in 2007, when the original project was considered, a traffic impact analysis was prepared for the proposed project. The analysis considered the potential impacts associated with 200 hotel rooms and 200 condominiums, and therefore considers more significant potential impacts than those which will result from the development of 50 residential units. Furthermore, the Morrison project was originally approved for 85 residential units for Nexus development and Sol site was originally approved for 84-unit residential development known as Del Grano II.

The study found that although the proposed project will impact surrounding intersections to varying degrees, none of the intersections will operate at a deficient level of service, with implementation of the proposed project and surrounding proposed projects. Surrounding intersections will operate at level of service C or better at project build out (2009) for both signalized and un-signalized intersections. All the mitigation measures from the previous MND will apply to the amended project.

*Utilities and Service Systems:*

The modified project is less intense than the project analyzed in the MND. The conclusions in the MND apply to the modified project.

*Findings:*

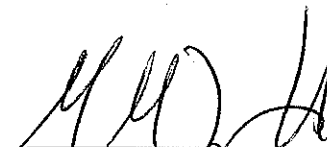
The modified development, a proposal to develop a 200-room hotel, 50 residential units on approximately 10.47-acre land, would not result in any new environmental impacts beyond those already assessed in the previously adopted Mitigated Negative Declaration. No further environmental review is required.

**NOTIFICATION:**

Since this hearing was continued to a date certain, a new public hearing notice was not advertised or mailed to property owners within 400 feet radius of the subject property. Staff has met with some members of the adjacent communities seeking for clarifications of the project.



Edward Robertson  
Principal Planner



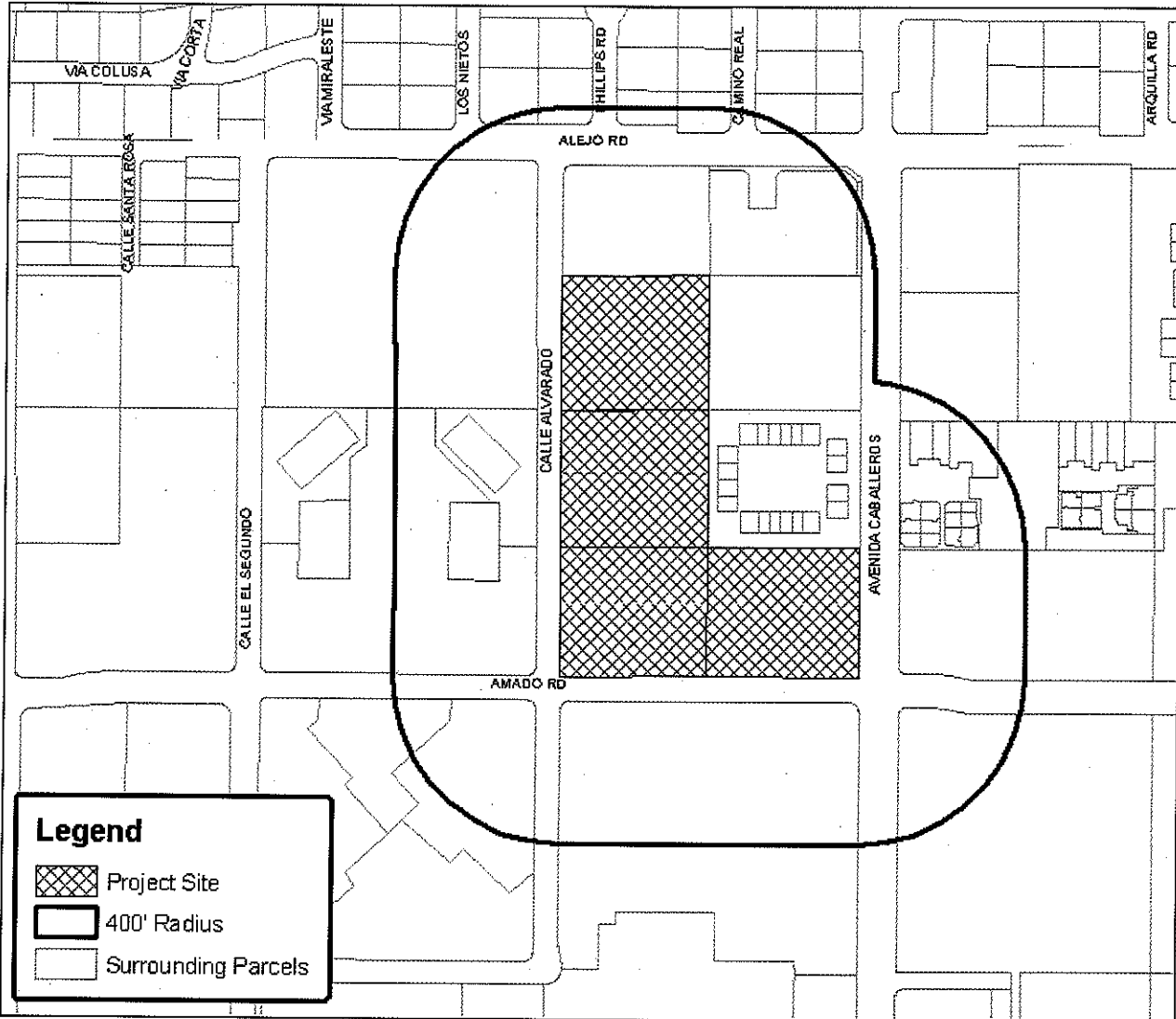
M. Margo Wheeler, AICP  
Director of Planning Services

Attachments:




1. Vicinity Map
2. Draft Resolutions and Conditions of Approval
3. Planning Commission Minutes from the meeting of 10.23.13
4. Letter from an adjacent property owner dated October 30, 2013
5. Adopted Initial Study MND from 2007
6. New 11"X17" Booklet containing reduced site plans and elevations



# Department of Planning Services Vicinity Map



**Legend**

-  Project Site
-  400' Radius
-  Surrounding Parcels

## CITY OF PALM SPRINGS

**CASE NO:** 5.1132 PD-333 AMND /  
TTM 35236

**APPLICANT:** Praetor Investment, LLC

**DESCRIPTION:** Amendment to an approved Planned Development for hotel and residential use by Praetor Investment, LLC, located at the northeast corner of Amado Road and Calle Alvarado, Zone PD 333, Section 14, (IL).

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PALM SPRINGS, CALIFORNIA, FINDS THE PREVIOUSLY ADOPTED MITIGATED NEGATIVE DECLARATION NO. 200700845 AS SUFFICIENT ENVIRONMENTAL DOCUMENT, AND HEREBY APPROVES A PROPOSAL TO AMEND PLANNED DEVELOPMENT DISTRICT 333, AND TENTATIVE PARCEL MAP 35236, BY PRAETOR INVESTMENT, LLC, TO DEVELOP A PROPOSED 200-ROOM HOTEL, 50 HIGH-END RESIDENTIAL UNITS AND A PARKING STRUCTURE ON APPROXIMATELY 10.7 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD

WHEREAS, the Praetor Investments, LLC, (the "Applicant") has filed an application with the City to amend the previously approved Planned Development District 333 and Tentative Parcel Map 35236 pursuant to the provisions of Section 94.02.00 (B) of the Palm Springs Zoning Code; and

WHEREAS, the City Council of the City of Palm Springs originally approved Planned Development District 333 (PDD 333), on July 18, 2007, for a 200-room hotel and 143-unit condominium units; and

WHEREAS, on April 22, 2013, the proposed amendment to PDD 333, was reviewed by the Architectural Advisory Committee (AAC), and recommended approval to the Planning Commission with a unanimous vote; and

WHEREAS, on June 12, 2013, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on October 2, 2013, the City Council directed staff to re-notice the proposal for a public hearing by the Planning Commission, and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act ("CEQA"), and a Mitigated Negative Declaration has been previously prepared for this project and was distributed for public review and comment in accordance with CEQA; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the meeting on the project, including but not limited to the staff report, and all written and oral testimony presented; and

WHEREAS, notice of public hearing of the Planning Commission of the City of Palm Springs to consider a proposed amendment of Planned Development District 333 and Tentative Parcel Map 35236, was given in accordance with applicable law; and

WHEREAS, on October 23, 2013, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, on November 13, 2013, a public hearing on the application was held by the Planning Commission in accordance with applicable law; and

WHEREAS, pursuant to Section 66412.3 of the Subdivision Map Act, the Planning Commission has considered the effect of the proposed project on the housing needs of the region, and has balanced these needs against the public service needs of residents and available fiscal and environmental resources; and

WHEREAS, the Planning Commission has carefully reviewed and considered all of the evidence presented in connection with the meeting on the project, including but not limited to the staff report, and all written and oral testimony presented.

THE PLANNING COMMISSION FINDS AS FOLLOWS:

Section 1:

A Mitigated Negative Declaration (MND) has been previously completed for this proposed project under the provisions of the California Environmental Quality Act (CEQA). A determination was made that the overall project had the potential for significant impacts, but that the impacts would not be significant in this case because project modifications and mitigation measures incorporated into the Initial Study reduce impacts to less than significant levels. Pursuant to Section 15162 of the California Environmental Act (CEQA), the preparation of further environmental assessment for the proposed amendment is not necessary since the circumstances of the project have not changed or intensified. The present amendment could not therefore, result in any new environmental impacts beyond those already assessed in the adopted Mitigated Negative Declaration (MND No. 200700845).

Section 2:

Pursuant to Section 94.03.00 of the Palm Springs Zoning Code, the City Council makes the following findings:

- a. *The proposed planned development amendment is consistent and in conformity with the general plan pursuant to Sections 94.07.00 (A)(1) and 94.02.00 (A)(4) of the Palm Springs Zoning Code.*

The proposed amendment to Planned Development District 333 is consistent with the General Plan, which includes policies specifically relating to the expansion of the City's tourism base. The project is also consistent with the Section 14 Master Plan, as amended, which represents the General Plan and Zoning for the property on which the project is located.

- b. *The subject property is suitable for the uses permitted in the proposed planned development district, in terms of access, size of parcel, relationship to similar or related uses, and other relevant considerations.*

The project, as planned, designed and conditioned, is consistent with the Section 14 Master Plan and the City of Palm Springs vision of the area for the future. The site is physically suitable and appropriate for the proposed project given its close proximity to the Convention Center and the downtown area. The location provides sufficient access points for all uses proposed.

- c. *The proposed establishment of the planned development district is necessary and proper, and is not likely to be detrimental to adjacent property or residents.*

The Amended Planned Development District modifies development of the project while maintaining the original development envisioned for the site; upon completion of the project, the development will still reflect a manner that is conducive with the urban development sought for in the area. The project adds to the Section 14 Master Plan facilities which are complementary to the Convention Center and the nearby downtown area.

Section 3:

NOW, THEREFORE, BE IT RESOLVED that based upon the foregoing, the Planning Commission approves the proposed amendment to Planned Development District 333 and recommends approval of modified Tentative Parcel Map 35236 to the City Council, for the development of a 200-room hotel, 50 high-end residential units and a parking structure on an approximately 10.47 acres of vacant lands located at the northwest corner of Avenida Caballeros and Amado Road subject to the Conditions of Approval attached hereto as Exhibit A.

ADOPTED THIS 13<sup>th</sup> day of November 2013.

CITY OF PALM SPRINGS, CALIFORNIA

ATTEST:

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M. Margo Wheeler, AICP  
Director of Planning Services

## EXHIBIT A

Case No. 5.1132 – PD 333 AMND & Tentative Parcel Map 35236  
Praetor Investments, LLC

Northwest corner of Avenida Caballeros and Amado Road  
(Dolce Palm Springs Hotel)

### **CONDITIONS OF APPROVAL**

November 13, 2013

Before final acceptance of the project, all conditions listed below shall be completed to the satisfaction of the City Engineer, the Director of Planning Services, the Chief of Police, the Fire Chief or their designee, depending on which department recommended the condition.

Any agreements, easements or covenants required to be entered into shall be in a form approved by the City Attorney.

#### PROJECT SPECIFIC CONDITIONS

##### **Administrative**

1. The proposed development of the premises shall conform to all applicable regulations of the Palm Springs Zoning Ordinance, Municipal Code, or any other City Codes, ordinances and resolutions which supplement the zoning district regulations.
2. The owner shall defend, indemnify, and hold harmless the City of Palm Springs, its agents, officers, and employees from any claim, action, or proceeding against the City of Palm Springs or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Palm Springs, its legislative body, advisory agencies, or administrative officers concerning Case 5.1132-PD-333 AMND and Tentative Tract Map 35236. The City of Palm Springs will promptly notify the applicant of any such claim, action, or proceeding against the City of Palm Springs and the applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Palm Springs fails to promptly notify the applicant of any such claim, action or proceeding or fails to cooperate fully in the defense, the applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Palm Springs. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.



3. That the property owner(s) and successors and assignees in interest shall maintain and repair the improvements including and without limitation sidewalks, bikeways, parkways, parking areas, landscape, irrigation, lighting, signs, walls, and fences between the curb and property line, including sidewalk or bikeway easement areas that extend onto private property, in a first class condition, free from waste and debris, and in accordance with all applicable law, rules, ordinances and regulations of all federal, state, and local bodies and agencies having jurisdiction at the property owner's sole expense. This condition shall be included in the recorded covenant agreement for the property if required by the City.
4. This project shall be subject to Chapters 2.24 and 3.37 of the Municipal Code regarding public art. The project shall either provide public art or payment of an in lieu fee. In the case of the in-lieu fee, the fee shall be based upon the total building permit valuation as calculated pursuant to the valuation table in the Uniform Building Code, the fee being 1/2% for commercial or industrial projects, 1/4% for new residential subdivisions, or 1/4% for new individual single-family residential units constructed on a lot located in an existing subdivision with first \$100,000 of total building permit valuation for individual single-family units exempt. Should the public art be located on the project site, said location shall be reviewed and approved by the Director of Planning Services and the Public Arts Commission, and the property owner shall enter into a recorded agreement to maintain the art work and protect the public rights of access and viewing.
5. Pursuant to Park Fee Ordinance No. 1632 and in accordance with Government Code Section 66477 (Quimby Act), all residential development shall be required to contribute to mitigate park and recreation impacts such that, prior to issuance of residential building permits, a parkland fee or dedication shall be made. Accordingly, all residential development shall be subject to parkland dedication requirements and/or park improvement fees. The parkland mitigation amount shall be based upon the cost to acquire and fully improve parkland. The applicant shall submit a property appraisal to the Planning Services Department for the purposes of calculating the Park Fee. The Park Fee payment and/or parkland dedication shall be completed prior to the issuance of building permits.

### **Environmental Assessment**

6. The mitigation measures of the Initial Study shall apply to the proposed project. Mitigation measures are included in the Initial Study, and hereby incorporated into these conditions by reference.
7. The developer shall reimburse the City for the City's costs incurred in monitoring the developer's compliance with the conditions of approval and mitigation monitoring program, including, but not limited to inspections and review of developers operations and activities for compliance with all applicable dust and noise operations, and cultural resource mitigation. This condition of approval is

supplemental and in addition to normal building permit and public improvement permits that may be required pursuant to the Palm Springs Municipal Code.

### **CC&R's**

9. The applicant prior to issuance of building permits shall submit three (3) sets of a draft declaration of covenants, conditions and restrictions ("CC&R's") to the Director of Planning Services for approval in a form to be approved by the City Attorney, to be recorded prior to certificate of occupancy. The CC&Rs shall be submitted with a list of the adopted conditions of approval and an indication of where applicable conditions are addressed in the CC&Rs. The CC&R's shall be enforceable by the City, shall not be amended without City approval, and shall require maintenance of all property in a good condition and in accordance with all ordinances.
10. The applicant shall submit to the City of Palm Springs, a deposit in the amount of \$3,500, for the review of the CC&R's by the City Attorney. A filing fee, in accordance with the fee schedule adopted by the City Council, shall also be paid to the City Planning Services Department for administrative review purposes.

### **Final Design**

11. Final landscaping, irrigation, exterior lighting, and fencing plans shall be submitted for approval by the Department of Planning Services, prior to issuance of a building permit. Landscape plans shall be approved by the Riverside County Agricultural Commissioner's Office prior to submittal. All landscaping located within the public right of way or within community facilities districts must be approved by the Public Works Director and the Director of Parks and Recreation.
12. An exterior lighting plan in accordance with Zoning Ordinance Section 93.21.00, Outdoor Lighting Standards, shall be submitted for review and approval by the Director of Planning Services prior to the issuance of building permits. Manufacturer's cut sheets of all exterior lighting on the building and in the landscaping shall be submitted for approval prior to issuance of a building permit. If lights are proposed to be mounted on buildings, down-lights shall be utilized. No lighting of the hillside is permitted.

### **General Conditions/Code Requirements**

13. The project is subject to the City of Palm Springs Water Efficient Landscape Ordinance. The applicant shall submit an application for Final Landscape Document Package to the Director of Planning Services for review and approval prior to the issuance of a building permit. Refer to Chapter 8.60 of the Municipal Code for specific requirements.

14. Prior to issuance of a grading permit, a Fugitive Dust and Erosion Control Plan shall be submitted and approved by the Building Official. Refer to Chapter 8.50 of the Municipal Code for specific requirements.
15. The grading plan shall show the disposition of all cut and fill materials. Limits of site disturbance shall be shown and all disturbed areas shall be fully restored or landscaped.
16. Separate architectural approval and permits shall be required for all signs. A detailed sign program shall be submitted for review and approval by the Planning Commission prior to issuance of building permits.
17. All materials on the flat portions of the roofs shall be earth tone in color, **unless landscaped.**
18. All roof mounted mechanical equipment shall be screened from all possible vantage points both existing and future per Section 93.03.00 of the Zoning Ordinance. The screening shall be considered as an element of the overall design and must blend with the architectural design of the building(s). The exterior elevations and roof plans of the buildings shall indicate any fixtures or equipment to be located on the roof of the building, the equipment heights, and type of screening. Parapets shall be at least 6" above the equipment for the purpose of screening.
19. No exterior downspouts shall be permitted on any facade on the proposed building(s) which are visible from adjacent streets or residential and commercial areas.
20. Perimeter walls shall be designed, installed and maintained in compliance with the corner cutback requirements as required in Section 93.02.00.D.
21. The design, height, texture and color of building(s), fences and walls shall be submitted for review and approval prior to issuance of building permits.
22. The street address numbering/lettering shall not exceed eight inches in height.
23. Construction of any residential unit shall meet minimum soundproofing requirements prescribed pursuant to Section 1092 and related sections of Title 25 of the California Administrative Code. Compliance shall be demonstrated to the satisfaction of the Director of Building and Safety.
24. Prior to the issuance of building permits, locations of all telephone and electrical boxes must be indicated on the building plans and must be completely screened or located in the interior of the building.

25. Parking for the hotel shall be valet-only. Such a requirement shall be recorded concurrent with the recordation of the Final Map on lots 1 and 2 as depicted on Tentative Tract Map 35236.
26. Parking for condominium guests shall meet Zoning Ordinance requirements. The parking, if gated, shall include an intercom system to the units, and adequate turn-around area for guests unable to contact the resident they are seeking.
27. Avenida Caballeros shall have minimum 8' sidewalks with shade trees on private property pursuant to Fig. 5-7 in Section 14 Specific Plan. (Added by PC on 6.12.13)
28. Amado Road shall have a minimum 5' sidewalk, 4' parkway and shade trees spacing out 30' or less per Section Specific Plan. (Added by PC on 6.12.13)
29. On Amado Road and Avenida Caballeros, the planting materials along the street frontages shall be pursuant to Tables 5-5 and 5-6 of Section 14 Specific Plan. (Added by PC on 6.12.13)
30. Streetscape furniture shall be provided along Avenida Caballeros subject to the approval of Director of Public Works pursuant to Section 14 Specific Plan. (Added by PC on 6.12.13)
31. Crosswalks at Avenida Caballeros and Calle Alvarado shall meet paving requirements of Section 14 Specific Plan. (Added by PC on 6.12.13)

### **Engineering Department**

#### **STREETS**

- ENG 1. Any improvements within the public right-of-way require a City of Palm Springs Encroachment Permit.
- ENG 2. Submit street improvement plans prepared by a registered California civil engineer to the Engineering Division. The plans shall be approved by the City Engineer prior to issuance of any building permits.
- ENG 3. Master planned roadways (Avenida Caballeros, Amado Road, and Calle Alvarado) shall be improved to the *Final Section 14 Master Development Plan/Specific Plan* design standards on and adjacent to the site, as generally identified herein, or to alternative design standards proposed by the applicant and approved by the City.

#### **AVENIDA CABALLEROS**

- ENG 4. Remove the existing driveway approach and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.

- ENG 5. Remove the existing street improvements as necessary to construct a minimum 24 feet wide driveway approach located approximately 160 feet north of the centerline of Amado Road. The driveway approach shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205.
- ENG 6. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 7. Avenida Caballeros street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a landscaped private setback of variable width and an 8 feet wide pedestrian sidewalk with double palm trees planted approximately 60 feet apart. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 8. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### AMADO ROAD

- ENG 9. Dedicate additional right-of-way of 15 feet to provide the ultimate half street right-of-way width of 40 feet along the entire frontage, together with a property line - corner cut-back at the northwest corner of the intersection of Amado Road and Avenida Caballeros, and at the northeast corner of the intersection of Amado Road and Calle Alvarado, in accordance with City of Palm Springs Standard Drawing No. 105.
- ENG 10. Dedicate additional right-of-way concentric with the back of the proposed vehicle turn-out bay, with the back of right-of-way located at the back of sidewalk.
- ENG 11. Remove the existing driveway approach and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 12. Remove the existing street improvements as necessary to construct the proposed driveway approach to and from the proposed turn-out bay at a minimum of 24 feet wide in accordance with City of Palm Springs Standard Drawing No. 205. The centerline of the driveway approach shall be located approximately 270 feet east of the centerline of Calle Alvarado. Access limitations, configuration, width, and location of the driveway approach to and from the proposed turn-out bay are subject to further evaluation by the City Engineer.

- ENG 13. Construct a Type A curb ramp meeting current California State Accessibility standards on either side of the driveway approach in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of travel, meeting ADA guidelines, is provided across the driveway, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.
- ENG 14. Construct the proposed vehicle turn-out bay in accordance with applicable City standards. The vehicle turn-out bay shall be a minimum of 12 feet wide where there is no parallel parking allowed and a minimum of 20 feet wide when there is one traffic lane with parallel parking on the north side of the turn-out. The vehicle turn-out bay shall be constructed with new curb, gutter, and sidewalk to match existing improvements, in accordance with applicable City standards.
- ENG 15. Amado Road street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a 4 feet wide landscaped parkway that includes shade trees in an informal pattern at a spacing of 30 feet or less and a 4 feet wide pedestrian sidewalk. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 16. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### CALLE ALVARADO

- ENG 17. Dedicate additional right-of-way concentric with the back of the existing vehicle turn-out bay, with the back of right-of-way located at the back of sidewalk.
- ENG 18. Remove the existing driveway approaches as necessary and replace with new street improvements (curb and gutter, and sidewalk) to match existing street improvements, in accordance with applicable City standards.
- ENG 19. Remove the existing street improvements as necessary to construct two minimum 24 feet wide driveway approaches located approximately 415 feet north and 960 feet north of the centerline of Amado Road, respectively. The driveway approaches shall be constructed in accordance with City of Palm Springs Standard Drawing No. 205. Note that the most southern driveway is shown as being only 20 feet wide on the current site plan.
- ENG 20. Construct a Type A curb ramp meeting current California State Accessibility standards on each side of the driveway approaches in accordance with City of Palm Springs Standard Drawing No. 212. The applicant shall ensure that an appropriate path of

travel, meeting ADA guidelines, is provided across the driveways, and shall adjust the location of the access ramps, if necessary, to meet ADA guidelines, subject to the approval of the City Engineer. If necessary, additional pedestrian and sidewalk easements shall be provided on-site to construct a path of travel meeting ADA guidelines.

- ENG 21. Construct an 8 feet wide sidewalk behind the curb along the entire frontage (where not already existing) in accordance with City of Palm Springs Standard Drawing No. 210.
- ENG 22. Calle Alvarado street improvements shall be installed consistent with the streetscape standards and guidelines in the *Section 14 Master Development Plan/Specific Plan (November 2004)*, which includes a 5 feet wide landscaped parkway and a 5 feet wide pedestrian sidewalk. The specific street improvements described in this condition may be modified by the applicant, in consultation with the City, provided that the intent of the Section 14 Specific Plan guideline is maintained.
- ENG 23. All broken or off grade street improvements along the project frontage shall be repaired or replaced.

#### ON-SITE

- ENG 24. A reciprocal access easement shall be reserved on the Final Map or shall be done by separate instrument prepared in a form acceptable to the City Engineer providing unlimited and unrestricted access across all of the lots for access through the on-site private street. The reciprocal access easement shall be executed by the appropriate parties prior to issuance of a building permit, and shall be recorded, and copy of same provided to the City Engineer, prior to issuance of a certificate of occupancy.
- ENG 25. The applicant shall provide a copy of an executed and recorded reciprocal parking agreement for all lots, prior to approval of a grading plan.
- ENG 26. The on-site private street shall have a minimum travel way width of 24 feet, and shall be constructed with standard 6 inch curb and gutter, a wedge curb, or other approved curbs along both sides of the street, as necessary to accept and convey on-site stormwater runoff to the on-site drainage system, in accordance with applicable City standards. Note that one-way sections of the roadway (including ramps) shall be a minimum of 16 feet wide.
- ENG 27. The on-site private street shall have a minimum centerline radius of 50 feet.
- ENG 28. The on-site private street and service loading dock intersection shall be subject to further evaluation by the City Engineer. Detailed analysis shall be provided in final design to demonstrate that sufficient maneuvering area is provided for delivery trucks accessing the loading dock.
- ENG 29. The minimum pavement section for all on-site pavement shall be 2½ inches asphalt concrete pavement over 4 inches crushed miscellaneous base with a minimum

subgrade of 24 inches at 95% relative compaction, or equal. If an alternative pavement section is proposed, the proposed pavement section shall be designed by a California registered Geotechnical Engineer using "R" values from the project site and submitted to the City Engineer for approval.

- ENG 30. Parking shall be restricted along the two-way drive aisle as necessary to maintain a 24 feet wide clear two-way travel way. Regulatory Type R26 "No Parking" signs or red curb shall be installed along the drive aisle as necessary to enforce parking restrictions. A Home Owners Association shall be responsible for regulating and maintaining required no parking restrictions, which shall be included in Covenants, Conditions, and Restrictions required for the development.
- ENG 31. An accessible pedestrian path of travel shall be provided throughout the development, as may be required by applicable state and federal laws. An accessible path of travel shall be constructed of Portland cement concrete, unless alternative materials meeting state and federal accessibility standards is approved by the City Engineer.

#### SANITARY SEWER

- ENG 32. All sanitary facilities shall be connected to the public sewer system via the on-site private sewer system. Existing sewer service laterals to the property may be used for new sanitary facilities. New laterals shall not be connected at manholes.
- ENG 33. All on-site sewer systems shall be privately maintained by a Home Owners Association (HOA). Provisions for maintenance of the on-site sewer system acceptable to the City Engineer shall be included in the Covenants, Conditions and Restrictions (CC&R's) required for this project.
- ENG 34. The project is subject to the Section 14 Sewer Impact Fee. The sewer impact fee at the present time is \$696.00 per acre. The fee shall be paid prior to, or concurrently with issuance of building permits.

#### GRADING

- ENG 35. Submit a Precise Grading & Paving Plan prepared by a California registered Civil engineer to the Engineering Division for review and approval. The Precise Grading & Paving Plan shall be approved by the City Engineer prior to issuance of grading permit.
- a. A Fugitive Dust Control Plan shall be prepared by the applicant and/or its grading contractor and submitted to the Engineering Division for review and approval. The applicant and/or its grading contractor shall be required to comply with Chapter 8.50 of the City of Palm Springs Municipal Code, and shall be required to utilize one or more "Coachella Valley Best Available Control Measures" as identified in the Coachella Valley Fugitive Dust Control Handbook for each fugitive dust source such that the applicable performance standards are met. The applicant's or its



contractor's Fugitive Dust Control Plan shall be prepared by staff that has completed the South Coast Air Quality Management District (AQMD) Coachella Valley Fugitive Dust Control Class. The applicant and/or its grading contractor shall provide the Engineering Division with current and valid Certificate(s) of Completion from AQMD for staff that have completed the required training. For information on attending a Fugitive Dust Control Class and information on the Coachella Valley Fugitive Dust Control Handbook and related "PM10" Dust Control issues, please contact AQMD at (909) 396-3752, or at <http://www.AQMD.gov>. A Fugitive Dust Control Plan, in conformance with the Coachella Valley Fugitive Dust Control Handbook, shall be submitted to and approved by the Engineering Division prior to approval of the Grading plan.

b. The first submittal of the Grading Plan shall include the following information: a copy of final approved conformed copy of Conditions of Approval; a copy of a final approved conformed copy of the Tentative Tract Map; a copy of current Title Report; a copy of Soils Report; a copy of the associated Hydrology Study/Report; and a copy of the project-specific Final Water Quality Management Plan.

- ENG 36. Prior to approval of a Grading Plan or issuance of any permit, the applicant shall obtain written approval to proceed with construction from the Agua Caliente Band of Cahuilla Indians, Tribal Historic Preservation Officer or Tribal Archaeologist. The applicant shall contact the Tribal Historic Preservation Officer or the Tribal Archaeologist at (760) 699-6800, to determine their requirements, if any, associated with grading or other construction. The applicant is advised to contact the Tribal Historic Preservation Officer or Tribal Archaeologist as early as possible. If required, it is the responsibility of the applicant to coordinate scheduling of Tribal monitors during grading or other construction, and to arrange payment of any required fees associated with Tribal monitoring.
- ENG 37. In accordance with an approved PM-10 Dust Control Plan, temporary dust control perimeter fencing shall be installed. Fencing shall have screening that is tan in color; green screening will not be allowed. Temporary dust control perimeter fencing shall be installed after issuance of Grading Permit, and immediately prior to commencement of grading operations.
- ENG 38. Temporary dust control perimeter fence screening shall be appropriately maintained, as required by the City Engineer. Cuts (vents) made into the perimeter fence screening shall not be allowed. Perimeter fencing shall be adequately anchored into the ground to resist wind loading.
- ENG 39. Within 10 days of ceasing all construction activity and when construction activities are not scheduled to occur for at least 30 days, the disturbed areas on-site shall be permanently stabilized, in accordance with Palm Springs Municipal Code Section 8.50.022. Following stabilization of all disturbed areas, perimeter fencing shall be removed, as required by the City Engineer.

- ENG 40. Prior to issuance of grading permit, the applicant shall provide verification to the City that the Tribal Habitat Conservation Plan (THCP) fee has been paid to the Agua Caliente Band of Cahuilla Indians in accordance with the THCP.
- ENG 41. Drainage swales shall be provided adjacent to all curbs and sidewalks to keep nuisance water from entering the public streets, roadways, or gutters.
- ENG 42. A Notice of Intent (NOI) to comply with the California General Construction Stormwater Permit (Water Quality Order 2009-0009-DWQ as modified September 2, 2009) is required for the proposed development via the California Regional Water Quality Control Board online SMARTS system. A copy of the executed letter issuing a Waste Discharge Identification (WDID) number shall be provided to the City Engineer prior to issuance of a grading or building permit.
- ENG 43. This project requires the preparation and implementation of a stormwater pollution prevention plan (SWPPP). As of September 4, 2012, all SWPPPs shall include a post-construction management plan (including Best Management Practices) in accordance with the current Construction General Permit. Where applicable, the approved final project-specific Water Quality Management Plan shall be incorporated by reference or attached to the SWPPP as the Post-Construction Management Plan. A copy of the up-to-date SWPPP shall be kept at the project site and be available for review upon request.
- ENG 44. In accordance with City of Palm Springs Municipal Code, Section 8.50.022 (h), the applicant shall post with the City a cash bond of two thousand dollars (\$2,000.00) per disturbed acre at the time of issuance of grading permit for mitigation measures for erosion/blowsand relating to this property and development.
- ENG 45. A Geotechnical/Soils Report prepared by a California registered Geotechnical Engineer shall be required for and incorporated as an integral part of the grading plan for the proposed development. A copy of the Geotechnical/Soils Report shall be submitted to the Engineering Division with the first submittal of a grading plan.
- ENG 46. The applicant shall provide all necessary geotechnical/soils inspections and testing in accordance with the Geotechnical/Soils Report prepared for the project. All backfill, compaction, and other earthwork shown on the approved grading plan shall be certified by a California registered geotechnical or civil engineer, certifying that all grading was performed in accordance with the Geotechnical/Soils Report prepared for the project. No certificate of occupancy will be issued until the required certification is provided to the City Engineer.
- ENG 47. The applicant shall provide pad elevation certifications for all building pads in conformance with the approved grading plan, to the Engineering Division prior to construction of any building foundation.
- ENG 48. In cooperation with the Riverside County Agricultural Commissioner and the California Department of Food and Agriculture Red Imported Fire Ant Project, applicants for grading permits involving a grading plan and involving the export of

soil will be required to present a clearance document from a Department of Food and Agriculture representative in the form of an approved "Notification of Intent To Move Soil From or Within Quarantined Areas of Orange, Riverside, and Los Angeles Counties" (RIFA Form CA-1) prior to approval of the Grading Plan. The California Department of Food and Agriculture office is located at 73-710 Fred Waring Drive, Palm Desert (Phone: 760-776-8208).

## WATER QUALITY MANAGEMENT PLAN

- ENG 49. This project shall be required to install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's) included as part of the NPDES Permit issued for the Whitewater River Region from the Colorado River Basin Regional Water Quality Control Board (RWQCB). The applicant is advised that installation of BMP's, including mechanical or other means for pre-treating contaminated stormwater and non-stormwater runoff, shall be required by regulations imposed by the RWQCB. It shall be the applicant's responsibility to design and install appropriate BMP's, in accordance with the NPDES Permit, that effectively intercept and pre-treat contaminated stormwater and non-stormwater runoff from the project site, prior to release to the City's municipal separate storm sewer system ("MS4"), to the satisfaction of the City Engineer and the RWQCB. Such measures shall be designed and installed on-site; and provisions for perpetual maintenance of the measures shall be provided to the satisfaction of the City Engineer, including provisions in Covenants, Conditions, and Restrictions (CC&Rs) required for the development.
- ENG 50. A Final Project-Specific Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Engineer prior to issuance of a grading or building permit. The WQMP shall address the implementation of operational Best Management Practices (BMP's) necessary to accommodate nuisance water and storm water runoff from the site. Direct release of nuisance water to the adjacent property or public streets is prohibited. Construction of operational BMP's shall be incorporated into the Precise Grading and Paving Plan.
- ENG 51. Prior to issuance of any grading or building permits, the property owner shall record a "Covenant and Agreement" with the County-Clerk Recorder or other instrument on a standardized form to inform future property owners of the requirement to implement the approved Final Project-Specific WQMP. Other alternative instruments for requiring implementation of the approved Final Project-Specific WQMP include: requiring the implementation of the Final Project-Specific WQMP in Home Owners Association or Property Owner Association Covenants, Conditions, and Restrictions (CC&Rs); formation of Landscape, Lighting and Maintenance Districts, Assessment Districts or Community Service Areas responsible for implementing the Final Project-Specific WQMP; or equivalent. Alternative instruments must be approved by the City Engineer prior to the issuance of any grading or building permits.

- ENG 52. Prior to issuance of certificate of occupancy or final City approvals, the applicant shall:
- (a) demonstrate that all structural BMP's have been constructed and installed in conformance with approved plans and specifications;
  - (b) demonstrate that applicant is prepared to implement all non-structural BMP's included in the approved Final Project-Specific WQMP, conditions of approval, or grading/building permit conditions; and
  - (c) demonstrate that an adequate number of copies of the approved Final Project-Specific WQMP are available for the future owners (where applicable).

## DRAINAGE

- ENG 53. All stormwater runoff passing through the site shall be accepted and conveyed across the property in a manner acceptable to the City Engineer. For all stormwater runoff falling on the site, on-site retention or other facilities approved by the City Engineer shall be required to contain the increased stormwater runoff generated by the development of the property. Provide a hydrology study to determine the volume of increased stormwater runoff due to development of the site, and to determine required stormwater runoff mitigation measures for the proposed development. Final retention basin sizing and other stormwater runoff mitigation measures shall be determined upon review and approval of the hydrology study by the City Engineer and may require redesign or changes to site configuration or layout consistent with the findings of the final hydrology study. No more than 40-50% of the street frontage parkway/setback areas should be designed as retention basins. On-site open space, in conjunction with dry wells and other subsurface solutions should be considered as alternatives to using landscaped parkways for on-site retention.
- ENG 54. Submit storm drain improvement plans for all on-site storm drainage system facilities for review and approval by the City Engineer.
- ENG 55. Construct storm drain improvements, including but not limited to catch basins, and storm drain lines, for drainage of on-site private street and underground parking garages into the on-site underground retention system, as described in the Preliminary Drainage Study for Tentative Tract Map No. 35236, prepared by Fomotor Engineering, dated December 2006. The hydrology study for Tentative Tract Map 35236 shall be amended to include catch basin sizing, storm drain pipe sizing, and underground retention system sizing calculations and other specifications for construction of required on-site storm drainage improvements.
- ENG 56. All on-site storm drain systems shall be privately maintained by a Homeowners Association (HOA). Provisions for maintenance of the on-site storm drain systems acceptable to the City Engineer shall be included in Covenants, Conditions and Restrictions (CC&Rs) required for this project.

ENG 57. The project is subject to flood control and drainage implementation fees. The acreage drainage fee at the present time is \$9,212 per acre per Resolution No. 15189. Fees shall be paid prior to issuance of a building permit.

## GENERAL

ENG 58. Any utility trenches or other excavations within existing asphalt concrete pavement of off-site streets required by the proposed development shall be backfilled and repaired in accordance with City of Palm Springs Standard Drawing No. 115. The developer shall be responsible for removing, grinding, paving and/or overlaying existing asphalt concrete pavement of off-site streets as required by and at the discretion of the City Engineer, including additional pavement repairs to pavement repairs made by utility companies for utilities installed for the benefit of the proposed development (i.e. Desert Water Agency, Southern California Edison, Southern California Gas Company, Time Warner, Verizon, Mission Springs Water District, etc.). Multiple excavations, trenches, and other street cuts within existing asphalt concrete pavement of off-site streets required by the proposed development may require complete grinding and asphalt concrete overlay of the affected off-site streets, at the discretion of the City Engineer. The pavement condition of the existing off-site streets shall be returned to a condition equal to or better than existed prior to construction of the proposed development.

ENG 59. All proposed utility lines shall be installed underground.

ENG 60. All existing utilities shall be shown on the improvement plans for the project. The existing and proposed service laterals shall be shown from the main line to the property line.

ENG 61. Upon approval of any improvement plan by the City Engineer, the improvement plan shall be provided to the City in digital format, consisting of a DWG (AutoCAD 2004 drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variation of the type and format of the digital data to be submitted to the City may be authorized, upon prior approval by the City Engineer.

ENG 62. The original improvement plans prepared for the proposed development and approved by the City Engineer shall be documented with record drawing "as-built" information and returned to the Engineering Division prior to issuance of a final certificate of occupancy. Any modifications or changes to approved improvement plans shall be submitted to the City Engineer for approval prior to construction.

ENG 63. Nothing shall be constructed or planted in the corner cut-off area of any intersection or driveway which does or will exceed the height required to maintain an appropriate sight distance per City of Palm Springs Zoning Code Section 93.02.00, D.

ENG 64. All proposed trees within the public right-of-way and within 10 feet of the public sidewalk and/or curb shall have City approved deep root barriers installed in accordance with City of Palm Springs Standard Drawing No. 904.

#### MAP

ENG 65. A Final Map shall be prepared by a California registered Land Surveyor or qualified Civil Engineer and submitted to the Engineering Division for review and approval. A Title Report prepared for subdivision guarantee for the subject property, the traverse closures for the existing parcel and all lots created therefrom, and copies of record documents shall be submitted with the Final Map to the Engineering Division as part of the review of the Map. The Final Map shall be approved by the City Council prior to issuance of building permits.

ENG 66. A copy of draft Covenants, Conditions and Restrictions (CC&Rs) shall be submitted to the City Attorney for review and approval for any restrictions related to the Engineering Division's recommendations. The CC&Rs shall be approved by the City Attorney prior to approval of the Final Map, or in the absence of a Final Map, shall be submitted and approved by the City Attorney prior to issuance of Certificate of Occupancy.

ENG 67. Upon approval of a final map, the final map shall be provided to the City in G.I.S. digital format, consistent with the "Guidelines for G.I.S. Digital Submission" from the Riverside County Transportation and Land Management Agency." G.I.S. digital information shall consist of the following data: California Coordinate System, CCS83 Zone 6 (in U.S. feet); monuments (ASCII drawing exchange file); lot lines, rights-of-way, and centerlines shown as continuous lines; full map annotation consistent with annotation shown on the map; map number; and map file name. G.I.S. data format shall be provided on a CDROM/DVD containing the following: ArcGIS Geodatabase, ArcView Shapefile, ArcInfo Coverage or Exchange file (e00), DWG (AutoCAD 2004 drawing file), DGN (Microstation drawing file), DXF (AutoCAD ASCII drawing exchange file), and PDF (Adobe Acrobat 6.0 or greater) formats. Variations of the type and format of G.I.S. digital data to be submitted to the City may be authorized, upon prior approval of the City Engineer.

#### TRAFFIC

ENG 68. As determined by the Westin Hotel and Residences Traffic Impact Study prepared by Endo Engineering (as revised March 5, 2007), the following mitigation measures will be required:

- a) Pay a fair share contribution determined as 6.71% (or \$11,742.50) for the future installation of a traffic signal, as well as the striping of a northbound, southbound, westbound, and eastbound left-turn lane at the intersection of Calle El Segundo and Amado Road. The applicant shall pay the fair share contribution prior to approval of a final map.

- b) Pay a fair share contribution determined as 13.91% (or \$20,865) for the future installation of a traffic signal at the intersection of Avenida Caballeros and Amado Road. The applicant shall pay the fair share contribution prior to approval of a final map.
  - c) Install a 24 inch stop sign, stop bar, and "STOP" legend for traffic exiting the development at all project egress points, in accordance with City of Palm Springs Standard Drawing Nos. 620-625.
  - d) A clear unobstructed sight distance shall be provided at all project access points; a clear sight triangle inside the property measuring 8 feet by 8 feet shall be provided at each access driveway, with screening fences or landscaping restricted to maintain the require sight distance.
- ENG 69. Submit traffic striping plans for Amado Road, prepared by a California registered civil engineer, for review and approval by the City Engineer. All required traffic striping and signage improvements shall be completed in conjunction with required street improvements, to the satisfaction of the City Engineer, and prior to issuance of a certificate of occupancy.
- ENG 70. A minimum of 48 inches of clearance for handicap accessibility shall be provided on public sidewalks or pedestrian paths of travel within the development. Minimum clearance on public sidewalks or pedestrian paths of travel shall be provided by either an additional dedication of a sidewalk easement (if necessary) and widening of the sidewalk, or by the relocation of any obstructions within the public sidewalk along the Avenida Caballeros, Amado Road, and Calle Alvarado frontages of the subject property.
- ENG 71. All damaged, destroyed, or modified pavement legends, traffic control devices, signing, striping, and street lights, associated with the proposed development shall be replaced as required by the City Engineer prior to issuance of a Certificate of Occupancy.
- ENG 72. Construction signing, lighting and barricading shall be provided during all phases of construction as required by City Standards or as directed by the City Engineer. As a minimum, all construction signing, lighting and barricading shall be in accordance with Part 6 "Temporary Traffic Control" of the California Manual on Uniform Traffic Control Devices for Streets and Highways, dated January 13, 2012, or subsequent editions in force at the time of construction.
- ENG 73. This property is subject to the Transportation Uniform Mitigation Fee which shall be paid prior to issuance of building permit.

### **Waste Disposal**

1. Trash cans shall be screened from view and kept within fifty (50) feet of the street.

### Police Department

1. Developer shall comply with Article II of Chapter 8.04 of the Palm Springs Municipal Code.

### Building Department

1. Prior to any construction on-site, all appropriate permits must be secured.

### Fire Department

1. **Premises Identification:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. (901.4.4 CFC) Show location of address on plan elevation view. Show requirement and dimensions of numbers in plan notes. Numbers shall be a minimum 4 inches, and of contrasting color to the background.
2. **Public Safety CFD:** The Project will bring a significant number of additional residents to the community. The City's existing public safety and recreation services, including police protection, criminal justice, fire protection and suppression, ambulance, paramedic, and other safety services and recreation, library, cultural services are near capacity. Accordingly, the City may determine to form a Community Services District under the authority of Government Code Section 53311 et seq, or other appropriate statutory or municipal authority. Developer agrees to support the formation of such assessment district and shall waive any right to protest, provided that the amount of such assessment shall be established through appropriate study and shall not exceed \$500 annually with a consumer price index escalator. The district shall be formed prior to sale of any lots or a covenant agreement shall be recorded against each parcel, permitting incorporation of the parcel in the district.
3. **Plot Plan:** Prior to completion of the project, a 8.5"x11" plot plan and an electronic CAD version shall be provided to the fire department. This shall clearly show all access points, fire hydrants, knox box locations, fire department connections, unit identifiers, main electrical panel locations, sprinkler riser and fire alarm locations. Large projects may require more than one page.
4. **Radio Communications:** Must install an in-building Public Safety Radio Communications Coverage System composed of a radiating cable system or an internal multiple antenna system with FCC-certified bi-directional 800 MHz and 150 MHz (as required to meet the two indicated 150 MHz frequencies) amplifier(s), distribution system, and subcomponents shall be required for all buildings in **excess of three stories**, or has subterranean floors, or subterranean parking. This system must meet the City of Palm Springs Public Safety Radio System Coverage Specifications.



5. **Fire Alarm System:** Fire Alarm System required. Installation shall comply with the requirements of NFPA 72.
6. **Automatic Fire Sprinklers:** An approved, automatic Fire Sprinkler System is required.
7. **Audible water flow alarms:** An approved audible sprinkler flow alarm shall be provided on the exterior of the building in an approved location. An approved audible sprinkler flow alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. (904.3.2 CBC)
8. **Fire Hydrant & FDC Location:** A public commercial fire hydrant is required within 30 feet of the Fire Department Connection (FDC). Fire Hose must be protected from vehicular traffic and shall not cross roadways, streets, railroad tracks or driveways or areas subject to flooding or hazardous material or liquid releases.\
9. **Fire Department Connections:** Fire Department connections shall be visible and accessible, have two 2.5 inch NST female inlets, and have an approved check valve located as close to the FDC as possible. All FDC's shall have KNOX locking protective caps. Contact the fire prevention secretary at 760-323-8186 for a KNOX application form.
10. **Location of Fire Department Connections:** The connection inlets must face the street, and be located on the street side of the building. The face of the inlets shall be 18 inches horizontal from the back edge of sidewalk (or back of curb, if no sidewalk), and shall be 36 to 44 inches in height to center of inlets above finished grade. No landscape planting, walls, or other obstructions are permitted within 3 feet of Fire Department connections. The FDC and supporting piping shall be painted OSHA safety red.

The address of the building served shall be clearly indicated on the Fire Department Connection (FDC). A sign with this information shall be placed on or near the FDC. The sign shall be constructed of metal. The sign face, lettering, and attachment shall be made of weather and vandal resistant materials. Sign background will be bright red. Letters will be bright white. Sign format will be substantially as follows:

F. D. C.  
SERVES  
425  
S. SUNRISE WAY  
ALL BLDGS. IN COMPLEX

11. **Valve and water-flow monitoring:** All valves controlling the fire sprinkler system water supply, and all water-flow switches, shall be electrically monitored where the number of sprinklers is one hundred or more. (Twenty or more in Group I,

Divisions 1.1 and 1.2 occupancies.) All control valves shall be locked in the open position. Valve and water-flow alarm and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station. (1003.3.1 CFC)

12. **Trash Container Protection:** If trash container space is within 5 feet of a building wall provide information on the type and size of trash container to be stored there. If it is a dumpster with a capacity of 1.5 cubic yards or greater, then the container must be protected by an approved automatic fire sprinkler. (1103.2.2 CFC)
13. **Class 1 Standpipe:** A Class 1 Standpipe system is required and shall be installed in accordance with the 98 CFC, Art. 10, Sec. 1004, and 98 CBC, Ch. 9, Std. 9-2 and Sec. 903. Standpipes will be required at every level in the stairwells.
14. **Residential Smoke Detector Installation With Fire Sprinklers:** Provide Residential Smoke Detectors (FIREX # 0498 accessory module connected to multi-station FIREX smoke detectors or equal per dwelling and fire sprinkler flow switch). Detectors shall receive their primary power from the building wiring, and shall be equipped with a battery backup. (310.9.1.3 CBC) In new construction, detectors shall be interconnected so that operation of any smoke detector causes the alarm in all smoke detectors within the dwelling to sound. (2-2.2.1 NFPA 72) Provide a note on the plans showing this requirement.
15. **Fire Department Access:** Fire Department Access Roads shall be provided and maintained in accordance with Sections 901 and 902 CFC. (902.1 CFC)

**Minimum Access Road Dimensions:**

Private streets shall have a minimum width of at least 20 feet, pursuant to California Fire Code 902.1 **however**, a greater width for private streets may be required by the City engineer to address traffic engineering, parking, and other issues. The **Palm Springs Fire Department requirements** for two-way private streets, is a **minimum width of 24 feet**, unless otherwise allowed by the City engineer. No parking shall be allowed in either side of the roadway.

16. **Access:** Fire department access roads shall be provided so that no portion of the exterior wall of the first floor of any building will be more than 150 feet from such roads. CFC 902.2.1 Applicant must add required access routes to the existing plans to meet code requirements and submit changes to the fire department for approval.
17. **Road Design:** Fire apparatus access roads shall be designed and constructed as all weather capable and able to support a fire truck weighing 73,000 pounds GVW. (902.2.2.2 CFC) The minimum inside turning radius is 30 feet, with an outside radius of 45 feet.

18. **Turn-Around Requirements:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. (902.2.2.4 CFC) The City of Palm Springs has two approved turn around provisions. One is a cul-de-sac with an outside turning radius of 45 feet from centerline. The other is a hammerhead turnaround meeting the Palm Springs Public Works and Engineering Department standard dated 9-4-02.
19. **Reduced Roadway Width:** Areas with reduced roadway width (such as entry and exit gates, entry and exit approach roads, traffic calming areas) that are under 36 feet wide require red painted curb to maintain minimum 24 foot clear width. Red curb shall be stenciled "NO PARKING" and "FIRE LANE" with white paint. (901.4 CFC)
20. **Access Gates:** Fire/Police/Ambulance access gates shall be at least 14' in width when in the open position and equipped with a Knox (emergency access) key switch. A Knox key operated switch shall be installed at every automatic gate. Show location of switch on plan. Show requirement in plan notes.
21. **Vertical Fire Apparatus Clearances:** Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 13 feet 6 inches. (902.2.2.1 CFC)
22. **Vertical Clearance for Underground Parking:** Palm Springs fire apparatus require an unobstructed vertical clearance of not less than 8 feet 6 inches. (902.2.2.1 CFC)
23. **Secondary Access:** A secondary access shall be provided for all developments with 25 or more dwelling units. (Appendix III-D 2.1 CFC)
24. **Mid Rise/High Rise:** High-rise and mid-rise buildings shall be accessible on a minimum of two sides. Roadways shall not be less than 10 feet (3048 mm) or more than 35 feet (10 668 mm) from the building. Landscaping or other obstructions shall not be placed or maintained around structures in a manner so as to impair or impede accessibility for fire fighting and rescue operations.
25. **Fire Extinguisher Requirements:** Provide one 2-A:10-B:C portable fire extinguisher for every 75 feet of floor or grade travel distance for normal hazards. Show proposed extinguisher locations on the plans. (1002.1 CFC) Extinguishers shall be mounted in a visible, accessible location no more than 5 feet above floor level. Preferred location is in the path of exit travel near an exit door.
26. **Water Supply:** The water supply and location/s of fire hydrants must be approved prior to any work being performed on the job site. (903.1 CFC)
27. **Water Systems and Hydrants:** Underground water mains and fire hydrants shall be installed, completed, tested and in service prior to the time when combustible materials are delivered to the construction site. (903 CFC). Installation, testing, and inspection will meet the requirements of NFPA 24 1995 edition. Prior to final

approval of the installation, contractor shall submit a completed Contractor's Material and Test Certificate to the Fire Department. (9-2.1 NFPA 24 1995 edition)

28. **Rapid Entry System Approval:** The Knox Fire/Police/Ambulance Rapid Entry System is the only Key Box, Lock Vault, Key Cabinet, Key Switch, Padlock, FDC Cap, or Decal approved for use by the City of Palm Springs Fire Department.
29. **Building or Complex Gate Locking Devices:** Locked gate(s) shall be equipped with a Knox key switch device or Key box. Boxes shall be mounted at 6 feet above grade. Contact the Fire Department at 760-323-8186 for a Knox application form. (902.4 CFC)
30. **Underground Parking:** A Class III Standpipe system is required and shall be installed in accordance with the 98 CFC, Art. 10, Sec. 1004, and 98 CBC, Ch. 9, Std. 9-2 and Sec. 903. Hose will not be required.
31. **Turn-Around Requirements for Subterranean/Ground Parking:** Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus. (902.2.2.4 CFC)
32. **Elevator Stretcher Requirement:** Elevator(s) shall be designed to accommodate medical emergency service. The elevator(s) so designed shall accommodate the loading and transport of an ambulance gurney or stretcher 24 inches by 76 inches in the horizontal position. The elevator entrance shall have a clear opening of not less than 42 inches wide or less than 78 inches high. The elevator car shall be provided with a minimum clear distance between walls or between walls and door excluding return panels not less than 80 inches by 54 inches, and a minimum distance from wall to return panel not less than 51 inches with a 42 inch side slide door. (3003.5a CBC)
33. **Commercial Cooking Hood & Duct Systems** shall meet all CFC, NFPA and CMC requirements.
34. **Hood & Duct Fire Protection System Plan Review Procedure:** Plans must be submitted directly to a Fire Department approved engineer for review and recommendation of approval. The contractor should submit fire extinguishing system plans as soon as possible. Submittal shall include manufacturer's data/cut sheets and listings with expiration dates on all equipment and materials used.
35. **Fire Suppression Systems Testing:** The hood and duct fire extinguishing system shall be function tested prior to final acceptance. Call the fire prevention secretary at 760-323-8186 for an inspection appointment.

#### **Construction Requirements:**

36. **Access During Construction:** Access for firefighting equipment shall be provided to the immediate job site at the start of construction and maintained until all construction is complete. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13'6". Fire Department access roads shall have an all weather driving surface and support a minimum weight of 73,000 lbs. (Sec. 902 CFC).
37. **Fencing Required:** Construction site fencing with 20 foot wide access gates is required for all combustible construction over 5,000 square feet. Fencing shall remain intact until buildings are stuccoed or covered and secured with lockable doors and windows. (8.04.260 PSMC)

### **Gates**

38. **Fire Apparatus Access Gates:** Entrance gates shall have a clear width of at least 15 feet and be equipped with a frangible chain and padlock. (8.04.260 PSMC)
39. **Access Gate Obstructions:** Entrances to roads, trails or other access ways, which have been closed with gates and barriers, shall be maintained clear at all times. (902.2.4.1 CFC).

**END OF CONDITIONS**

**2C. PRAETOR INVESTMENT LLC, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PLANNED DEVELOPMENT DISTRICT 333 AND TENTATIVE PARCEL MAP 35236 FOR THE DEVELOPMENT OF A 200-ROOM HOTEL, 50 RESIDENTIAL UNITS AND A PARKING STRUCTURE LOCATED AT THE NORTHWEST CORNER OF AVENIDA CABALLEROS AND AMADO ROAD, ZONE PD 333, SECTION 14. (CASE 5.1132 PD-333 AMND). (ER)**

Principal Planner Robertson presented the proposed amendment and provided details on the prior entitlements of the project.

Commissioner Roberts disclosed that he met with several of the adjacent neighbors and walked the property site.

Commissioner Weremiuk disclosed a conversation she had with the applicant and declined a site visit with an adjacent neighbor.

Commissioner Lowe disclosed that he met with adjacent neighbors and walked the site.

Commissioner Calderine disclosed he walked the site with adjacent neighbors.

Vice-Chair Hudson disclosed he walked the site with adjacent neighbors.

Chair Donenfeld disclosed his telephone conversation with an adjacent neighbor, David Powell, and discussed procedural matters.

Chair Donenfeld opened the Public Hearing portion of the meeting:

*The following persons spoke in favor of the project:*

LAURIE KIBBY, representing Praetor Investments LLC, presented the current project using computer simulations. Ms. Kibby provided an overview of ingress and egress, walkways, view corridors, new restaurant pad, new circulation diagrams, the annex building, parking and sun studies.

GARY CARLSON, resides at Alejo Vista (adjacent to the northeast corner of the site) commented on the beauty of the hotel and is pleased to see the view of a two-story residential instead of the five-story previously approved project.

JIM BAYNER, resides at the Deauville Complex, commented on the tremendous impact the hotel will bring to the community and neighborhood.

RUDOLFO CASTILLO, spoke about the favorable economic impact the Dolce Hotel will bring to the City and will offer have many jobs to the community and indicated that views are not owned by the neighbors.

LAURIE KIBBY, commented that development team met with adjacent neighbors and took their comments seriously and spoke about the reduction in density of the project.

*The following persons spoke in opposition of the project:*

DAVID POWELL, resides at Center Court Condominiums, commented on the inaccuracies in the Mitigated Negative Declaration prepared for this project, especially views and noise.

BRIAN CRAIN, resides at Center Court Condominiums, commented on the blocked views of the mountains.

STEVE HARRIS, resides at Center Court Condominiums, commented on the blocked views of the mountains.

AAMER MUMTAZ, president of Center Court HOA, commented that this plan is a massively larger project and does not believe the sun studies are accurate.

RANDY BERNARDI, lives at San Tropez Villas, commented on noise coming from outdoor amplified music events and requested a limit of 9 pm Sun. - Thurs. and 10 pm Fri. - Sat. be placed on these events.

ANDY GEORGIU, president of the Palomino HOA, commented on density, scale and size of project and parking issues associated with the project.

CHARLES ARRAGE, resides at Center Court Condominiums, commented on moving project toward Calle Avarado and Amado Road to give those views.

DAVID DEVEREAUX, resides at Palomino, commented on the scale of the project to the neighborhood and said the whole project should be moved counter-clockwise.

Chair Donenfeld closed the public hearing.

Commissioner Roberts questioned working with the neighbors during the prior hearings and options for the sun/shade projections.

Commissioner Weremiuk commented on the shadow studies showing during the winter months when shade affects neighboring property it is already dusk.

Commissioner Calderine questioned what measures will be done to enforce the noise ordinance.

Vice-Chair Hudson asked what efforts have made with landscape or screening wall strategies on elevated parking on the eastern northern corner to address headlights from the adjacent neighbors.

Commissioner Calerdine spoke in favor of the hotel and design. He commented that we do not protect views even though they are a problem. He has a concern with the height of the condominiums on the south side.

Commissioner Roberts commented that it is a good project, however, is concerned with the neighbor's blocked views and height of the hotel. He suggested that moving the hotel away from the neighbors may be helpful.

Commissioner Weremiuk said she likes the hotel but shares the concern regarding the height of the condo building. She does not favor moving the entire building.

Vice-Chair Hudson noted that the project has improved since the previous rendition. However, there are many opportunities of compromise such as rotating the hotel building to allow for certain adjustments. He expressed concern with the height of the northern center of the condominiums.

Commissioner Roberts would like to see other options to work on the view and noise issues from the pool.

Chair Donenfeld thinks this is a marvelous project and with the property adjacent to the Convention Center large developments should be expected.

LAURIE KIBBY responded to the building envelope of the site and is not certain if reconfiguration of the hotel would make a significant impact. Ms. Kibby stated that the development team worked within the envelope of the preexisting approved project.

Vice-Chair Hudson agreed that future development would occur on this site but that all options should be considered, including moving the whole building closer to the street.

**ACTION:** Approve, with conditions, as presented.

With Planning Commission's comment that the applicant is requested to bring to the City Council a reduction in the height of the condominium building and moving the hotel arc forward.

**Motion:** Commissioner Weremiuk seconded by Commissioner Calerdine. **MOTION FAILED.**

**AYES:** Commissioner Calerdine, Commissioner Weremiuk, Chair Donenfeld  
**NOES:** Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Vice-Chair Hudson



**ACTION:** To continue to November 13, 2013 to allow the applicant to mitigate some of the concerns discussed at today's meeting.

**Motion:** Commissioner Roberts seconded by Vice-Chair Hudson and carried 6-1 on a roll call vote.

**AYES:** Commissioner Calerdine, Commissioner Klatchko, Commissioner Lowe, Commissioner Roberts, Vice-Chair Hudson, Chair Donenfeld

**ABSTAIN:** Commissioner Weremiuk

**DRAFT**

RECEIVED  
CITY OF PALM SPRINGS

To: Planning  
Michael D. Steward, MD

P.O. Box 1913, Palm Springs, Ca 92263 ~ Tel (760) 567-5543  
Email: DrStewardMD@gmail.com

2013 NOV -4 PM 2:23

JAMES THOMPSON  
CITY CLERK

Wednesday, October 30, 2013

James Thompson  
City Clerk  
3200 E. Tahquitz Canyon Way  
Palm Springs, CA 92262

RE: CASES 5.1132, AMENDMENTS TO PLANNED DEVELOPMENT DISTRICT 333  
AND TENTATIVE TRACT MAP 35236, DOLCE PALM SPRINGS, NORTHWEST  
CORNER OF AMADO ROAD AND AVENIDA CABALLEROS

Mr. Thomson:

I am writing in support of the above referenced project. I was the first resident of the Palomino complex adjacent to this project and I am the Vice President of the Palomino Home Owner's Association.

After a fairly lengthy escrow, I purchased my home in July of 2007. At that time, it was very clear to me, not only of the potential, but also of the likelihood, that a hotel development would be built on the property mention above. That fact considerably influenced not only my decision to purchase here, but also which units I would consider. I did not want to share a wall with a hotel, but I did desire to have a very central location. Anyone purchasing in this area at that time, or after had access to the same information I did, including the residents at the Center Court development next to Palomino. In fact, in 2007, residents at Center Court participated in flying balloons to demonstrate the height of a hotel project.

While the Dolce Development will have some negative impact on property, it is far less than previously considered projects, and overall, I believe it will be an asset. My concern is that if this project does not come to fruition, another one will; one that might not be as willing to mitigate the negative impact it could have on my property as the Dolce developers have been.

I believe that this property will ultimately be developed. I also believe that given the location of the Center Court complex to this property, any development there will affect them. For the Center Court complex, it is likely to be this development, or something similar. For Palomino, it is likely to be this development or something worse.

Please feel free to contact me with any questions, concerns or comments. Thank you,



Michael Steward

RECEIVED

NOV 05 2013

PLANNING SERVICES  
DEPARTMENT



**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

Project Title:	Starwood Resort Hotel	
Case Nos.	5.1132, PD 333; 3.3002-MAJ, Tentative Tract Map 35236, Development Agreement	
Assessor's Parcel No.	508-034-011, -012, -013, & -014	
Lead Agency Name and Address:	City of Palm Springs 3200 E. Tahquitz Canyon Way Palm Springs, California 92262	
Project Location:	Northwest corner of Amado Road and Avenida Caballeros	
Project Sponsor's Name and Address:	Loff Partners Palm Springs LLC	100 S. Sunrise, Suite 498 Palm Springs, CA 92262
General Plan Designation(s):	HR (Residential High), Section 14 Master Plan	
Zoning:	R-4, RGA-8	
Contact Person:	Edward O. Robertson, Principal Planner	
Phone Number:	(760) 323-8245	
Date Prepared	March 1, 2007	



**Description of the Project**

The proposed project will result in the construction of a 200 room hotel and 145 condominium units with a gross density of 33 units per acre. The project site is located in the High Density Residential land use designation under the Section 14 Master Plan. This designation allows development to a density of up to 43 units per acre. The proposed project occurs on lands totaling approximately 10.47 acres.

The project consists of the following components:

1. 200 room hotel to include an 8,000 square foot ballroom, a restaurant (2,760 s.f.), bar (4,260 s.f.), 8,400 square foot spa, and gourmet market 2,035 s.f.); with primary access from Amado Road. The structure will be 5 stories in height.
2. 145 condominium units, on 3, 4 and 5 stories with underground parking, and primary access from Calle Alvarado.
3. A 511 space parking structure, with a maximum height of 29 feet above grade.

Avenida Caballeros is currently built to its ultimate half width at the project site. Amado Road will be widened to its ultimate half width (40 feet) with development of the project site. Curb, gutter and sidewalk currently occur on both streets. Curb, gutter and sidewalk will be reconstructed on Amado Road to build out standards. Calle Alvarado will be improved with ultimate improvements with development of the project site, including the construction of sidewalks.

The Planned Development District application is required to consider modifications in the development code relating to setbacks for high rise buildings and open space.

In addition to the Planned Development District application, a Tentative Tract Map (TTM 35236) has also been submitted, to divide the existing parcels into 5 lots.

Finally, a Development Agreement is proposed between the project proponent and the City.

The project site is located within the boundaries of the Section 14 Master Plan.

**Environmental Setting and Surrounding Land Uses**

The proposed project site is currently partially developed. The land fronting on Amado Road is currently developed as a parking lot serving the Palm Springs Convention Center to the south. The lands fronting on Alvarado are currently vacant.

North: Vacant lands, existing condominiums.

South: Amado Road, Palm Springs Convention Center.

East: Avenida Caballeros, vacant land (recently approved Privado condominium project).

West: Calle Alvarado, existing condominiums.

**Other public agencies whose approval is required**

Regional Water Quality Control Board

**Environmental Factors Potentially Affected:**

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and corresponding discussion on the following pages.

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agricultural Resources                        | <input checked="" type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input checked="" type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils                     |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality                       | <input type="checkbox"/> Land Use/Planning                 |
| <input type="checkbox"/> Mineral Resources             | <input checked="" type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing                |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                                    | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |

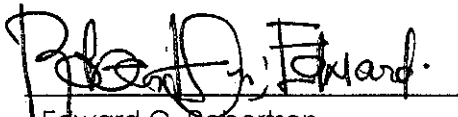
**DETERMINATION:** The City of Palm Springs Planning Department

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
 Nicole Sauviat Criste  
 Consulting Planner

5/1/07  
 Date

  
 Edward O. Robertson  
 Principal Planner

5.1.07  
 Date



## PURPOSE OF THIS INITIAL STUDY

This Initial Study has been prepared consistent with CEQA Guidelines Section 15063, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Mitigated Negative Declaration.

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impacts to less than significance.



I. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

The city is framed by views of the San Jacinto Mountains to the south and west; by open desert and the City of Cathedral City to the east; and the Little San Bernardino Mountains to the north. These mountain ranges provide a dramatic backdrop that is visible from virtually any point in the City.

From the project site, views are primarily to the west and south, looking toward the San Jacinto Mountains. Views to the northwest also include Mount San Gorgonio. Similarly, properties to the west, east and north of the site have views primarily to the west and south. Surrounding existing development consists of one and two story condominium projects to the west and north. The recently approved Privado condominium project to the east, although not yet constructed, consists primarily of three story structures.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project will result in the construction of 3, 4 and 5 story condominiums on the western portion of the site, and a 5 story hotel and a parking structure on the southern portion of the site. These structures are higher than existing surrounding development.

Visual impact analyses were conducted for the proposed project. The analyses consisted of the taking of photographs at several locations surrounding the proposed project, and the super-imposition of the corresponding portion of the proposed project. A photo location key map, and the "before" and "after" pictures, are provided in exhibits 3 through 10, below.

As shown in the simulation, Location 1 was taken from the entry of the Deauville project, looking east. The current view of this location is of the existing Convention Center parking lot. No significant vistas occur beyond, as the Indio Hills and San Bernardino foothills are far distant. The construction of the proposed project will result in a change in this view to

portions of the hotel facilities. The existing view, however, is of an urban parking lot, and the change to an architecturally designed building façade will not be a significant degradation of the existing view. Furthermore, buildings within the Deauville project are not generally oriented in an east-west direction, but instead have been placed at a 45 degree angle on the site. As a result, views for most units are to the northeast and southwest, and not directly to the proposed project. Impacts are expected to be less than significant.

Locations 2a.1, 2a.2 and 2b (Exhibits 5, 6 and 7) occur in the center of the condominium project currently under construction on the west side of Avenida Caballeros. As shown in the "before" views, the current views to the west and southwest are of the San Jacinto Mountains and their foothills. Condominium structures will occur immediately west of these locations, ranging in height from two to five stories. In the southwestern view from the site, the hotel structure will be visible. Views of the San Jacinto mountains from this location will be eliminated from the ground level for units located in the center and northern portions of the project. As the units within this project are planned to be two stories in height, it is expected that views from the second stories of these units will allow partial views of the mountains, in areas where the proposed project is two and three stories, as shown at Location 2b. Units located in the southwestern portion of the project site will still have views of the mountains, both through and over the proposed buildings, and particularly from the second story due to the massing and separation of structures in this area of the proposed project.

The General Plan land use designation for the condominium project and the proposed project site is HR, High Density Residential as established by the Section 14 Master Plan. The designation allows for multiple family dwellings and resort hotel projects up to 43 units per acre, to a height of 30 feet. The Zoning Ordinance further allows heights of up to 100 feet, as does the Section 14 Master Plan. Therefore, it could be expected that the proposed project would, by right of zone, build at a density of up to 43 units per acre, and a height of 30 feet. If this were to occur, the views from the adjacent condominiums at locations 2a and 2b would be blocked, since a three story structure, since, as can be shown in Exhibits 5 and 6, the three story portion of the proposed structures block the views of the mountains. The proposed project includes structures up to 62 feet in height at this photo location. The land use in this area of Section 14 is planned for urban development, and has been for some time. Such urban environments will result in view blockages and changes in the character of the surrounding vistas. The proposed project, therefore, will not cause impacts which would be any greater should a project be constructed at a height of 30 feet, and a density of 43 units per acre. In the case of the proposed project, the variations in building heights, from two to five stories, and the setbacks and massing of the buildings, will allow limited view corridors from the photo location, particularly from the second story of the condominiums now under construction. Therefore, although the views from the project site of the surrounding mountains will be largely eliminated at ground level, the impacts in an urban environment are not considered significant.

As shown in Exhibits 8 and 9, views from the existing condominium project located immediately east of the proposed project (and south of the project currently under construction and discussed above), include the San Jacinto mountains to the west, over the existing wall, and to the southwest, also over an existing wall. In the case of location 3a., the proposed project at this location will include a portion of the hotel's ballroom facilities, and a portion of the proposed garage, which are planned for one and two stories, respectively. As shown in Exhibit 8, the views from the site are currently limited by



the wall and surrounding landscaping. The construction of the proposed project will have a minimal impact on these views.

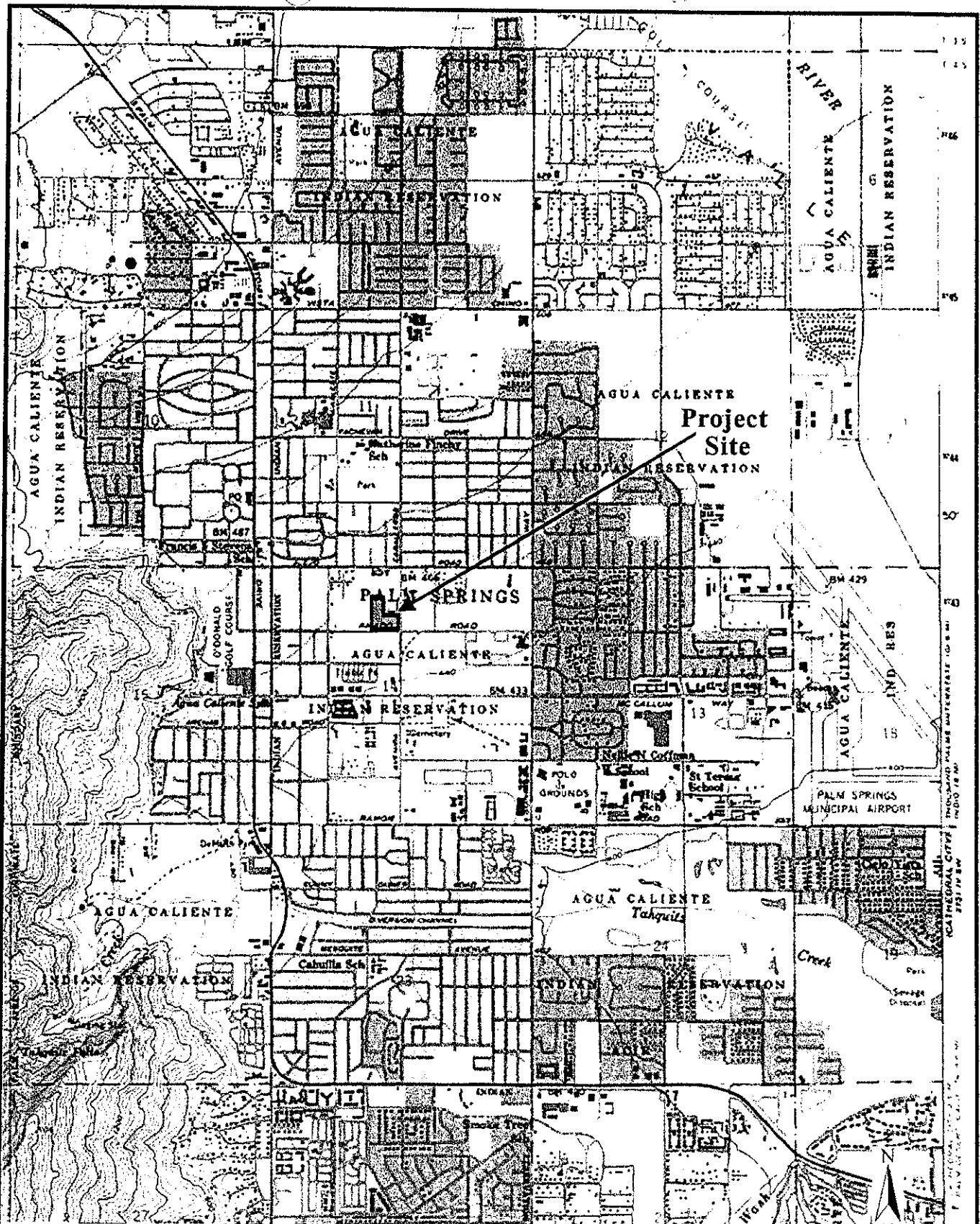
Exhibit 9 shows the view from the existing condominium project to the west, where the San Jacinto mountains are clearly visible. The construction of the proposed project at this location will include the hotel's "back of house" facilities, located within a single story structure. However, due to the mass of the structure, the views from the existing condominiums of the western mountains will be largely eliminated at this location. The zoning designation allows for multiple family dwellings and resort hotel projects up to 43 units per acre, to a height of 30 feet by right of zone. Should a 30 foot high structure be constructed at this location, it would have a similar impact on the views to the west of the existing condominiums. The condominiums are oriented to the east at this location, however, with living areas and patios oriented to the east. Front doors are located facing the proposed project, with limited opportunity for views of the western mountains. As with the project located to the north, the land use designation for both the proposed project and the existing condominiums is HR, which allows densities of up to 43 units per acre, and building heights of up to 100 feet. In the overall, given the urban nature of the Section 14 Master Plan, the impacts on scenic vistas associated with the existing condominiums are expected to be less than significant.

Exhibit 10 shows Location 4, or the view from the currently vacant residential property on the east side of Avenida Caballeros. This property was recently approved for 3 story condominiums with west-facing views. As can be seen in the simulation, the parking garage will be clearly seen in the near-view from this site. However, the primary view of the San Jacinto mountains will still be visible through and over the parking structure, which will extend to a height of 29 feet. Impacts associated with the scenic vistas at this location are expected to be less than significant.

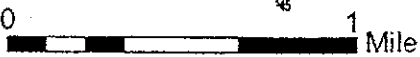
- b) **No Impact.** There are no significant trees, rock outcroppings, historic buildings or other significant aesthetic resources on the project site. Amado Road and Calle Alvarado are not designated scenic roadways. Avenida Caballeros is designated a local scenic roadway. The proposed project will be required to conform to the design guidelines and landscape requirements of the Section 14 Master Plan, and will include significant landscaping in the streetscape. No impacts are expected.
- c) **Less Than Significant Impact.** The proposed project will be located on a site which is currently partially developed for parking lot facilities. The development of condominiums and hotel facilities will change the visual character of the site. However, the site is located in the City's urban core, and is designated for the land uses proposed. The project site is adjacent to the existing Convention Center, which is of more significant mass than the structures proposed on the project site. The recently approved condominium project on the northeast corner of Amado and Avenida Caballeros is in the same density range and character as the condominiums proposed for the proposed project. Therefore, the development of the proposed project is expected to have less than significant impacts on the visual character of the area.
- d) **Less Than Significant Impact.** The proposed project site is currently used as a parking lot for the Convention Center. As the Convention Center currently operates into the evening hours, the site is subject to light and glare on an irregular basis. The proposed project will result in condominium units and hotel facilities, as well as a parking structure. These uses will generate ongoing and regular light from traffic at the site. However, the parking proposed for all uses will be either below ground (for the condominiums), or in the



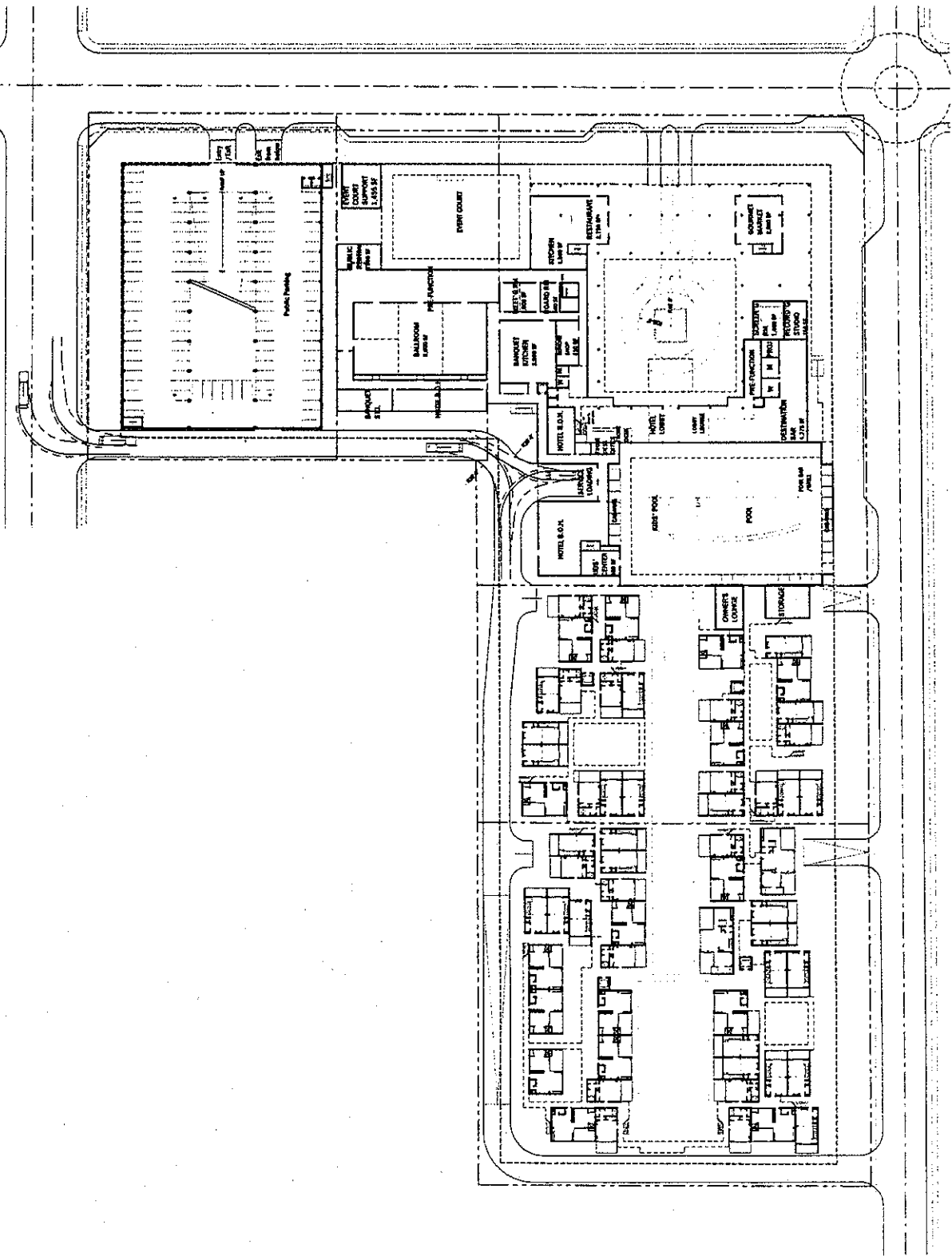
parking structure (for the hotel). These facilities will reduce the amount of light emitted from traffic on the site, insofar as the walls will shield car headlights, and limit light impacts to the already impacted street system. In addition, all lighting on the project site will be subject to the requirements and standards of the City's Municipal Code, which are designed to limit potential impacts on adjoining properties. As a result, light impacts associated with the proposed project will not be significant.



Source: USGS Quad Map 7.5 Minute  
 Palm Springs, California 1988

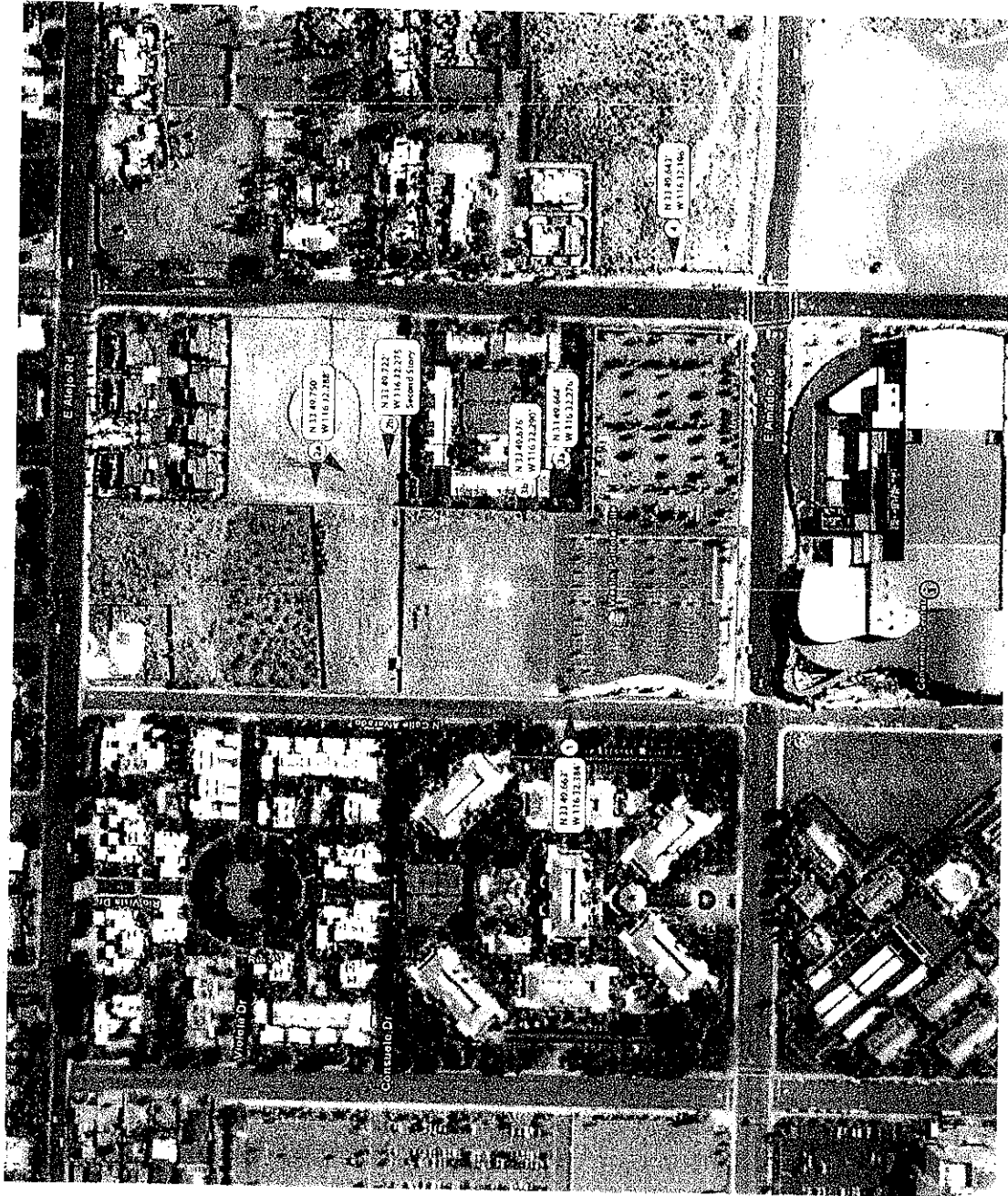


**Starwood Resort Hotel  
 Vicinity Map  
 Palm Springs, California**



Scale 1/32"=1'-0" Jan 31, 2007

**Starwood Resort Hotel**  
**Site Plan**  
**Palm Springs, California**

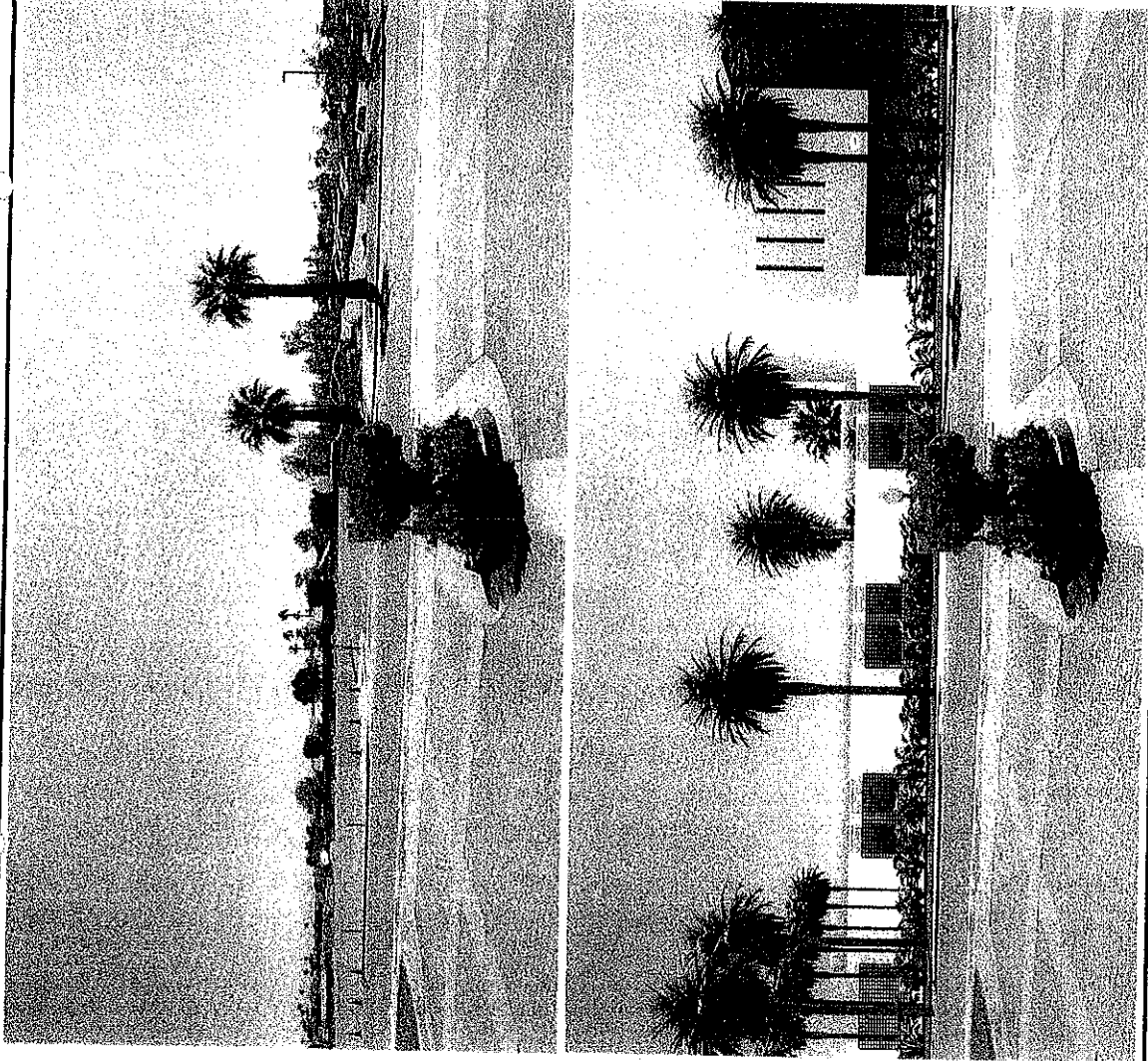


Starwood Resort Hotel  
Photo Location Key Map  
Palm Springs, California

Existing



Proposed



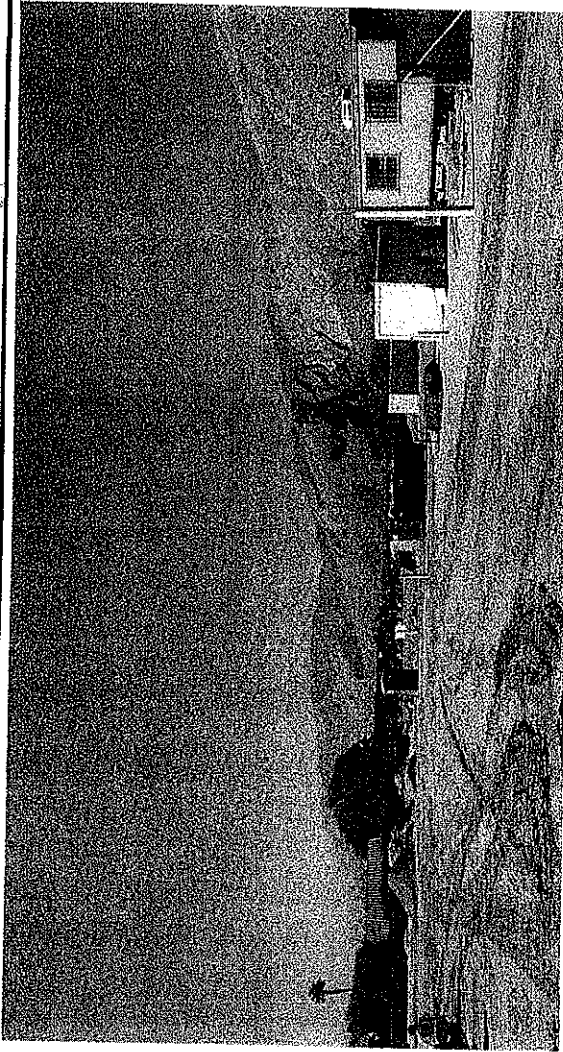
Exhibit

Starwood Resort Hotel  
Location 1  
Palm Springs, California

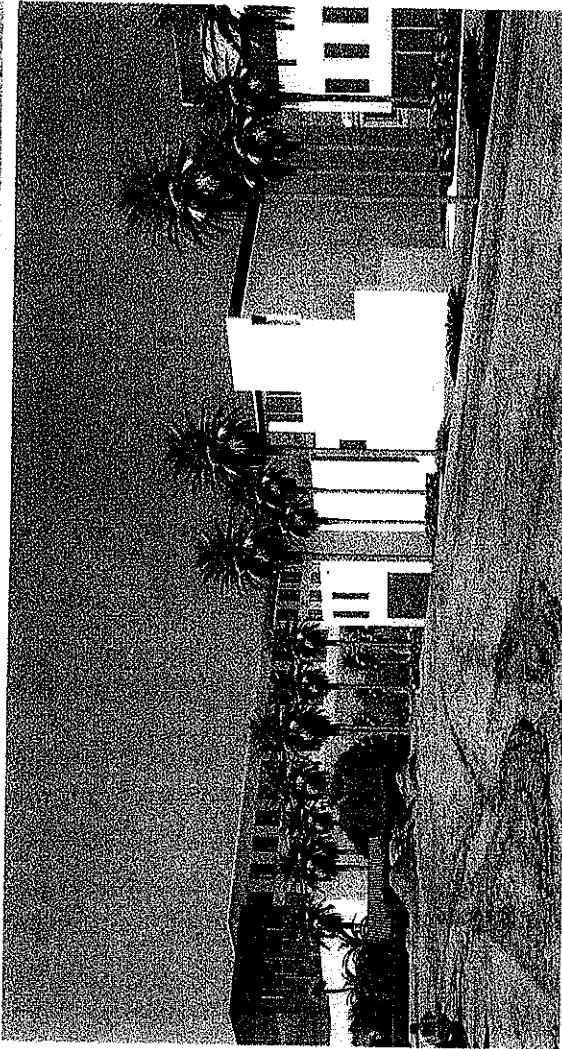
4



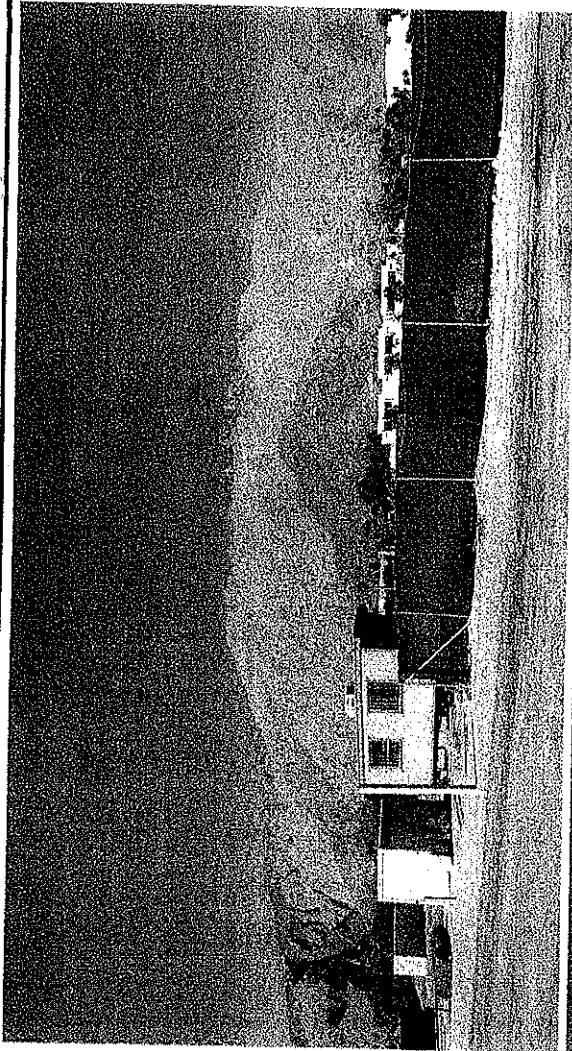
Existing



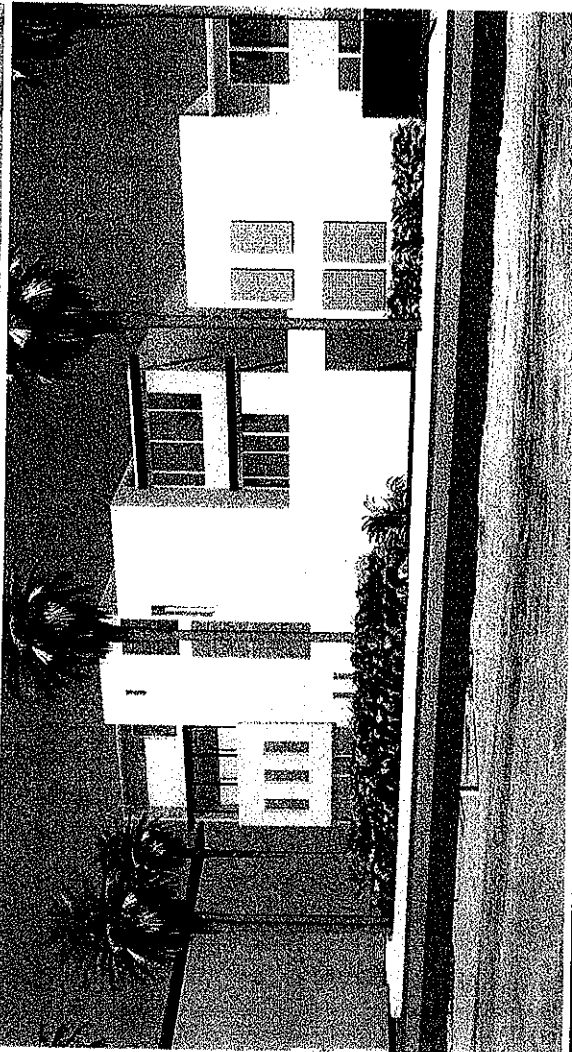
Proposed

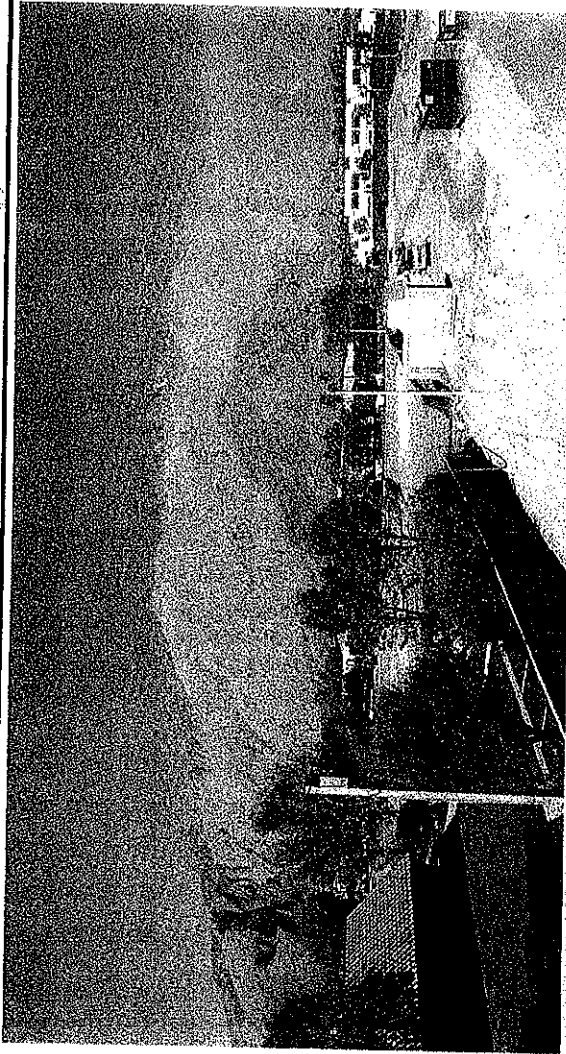


Existing



Proposed





Existing



Proposed



Existing

Proposed



A



Existing



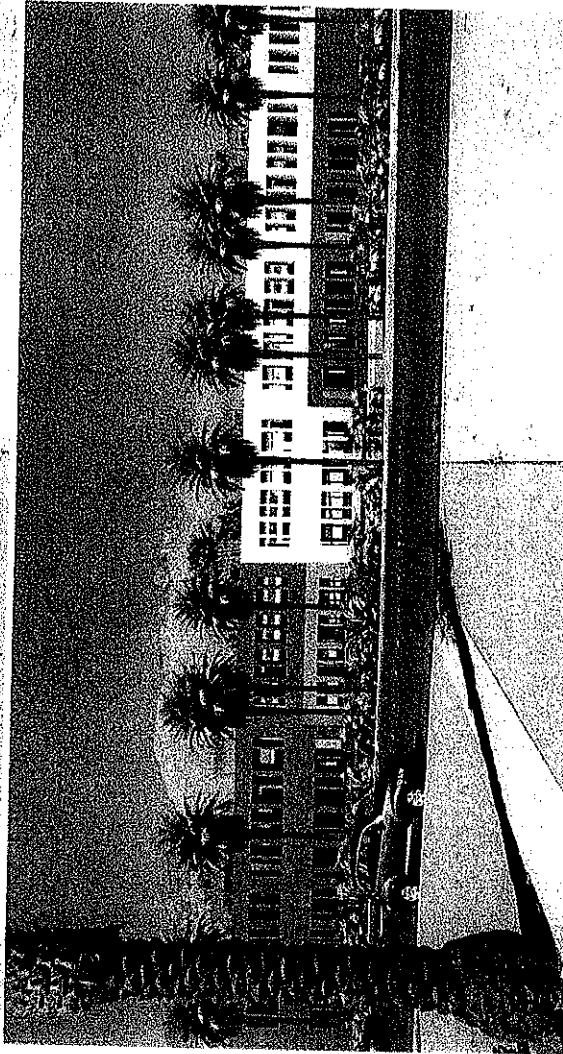
Proposed



Existing



Proposed



Starwood Resort Hotel  
Location 4.  
Palm Springs, California

Exhibit

10

**TERRA NOVA**<sup>®</sup>  
Planning & Research, Inc.



**II. AGRICULTURAL RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

Soils in the City are characterized as sandy and rocky. Due to their low organic content and dry, granular nature, most soils in the City are not well suited to support vegetation (Smith, Peroni and Fox, 1992). No agricultural activities occur in the City. The project site is located in the City's core, and is surrounded by development.

**Discussion of Impacts**

- a) **No Impact.** The project site is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the Farmland Mapping and Monitoring Program of the California Resources Agency. No impact to farmland would occur.
- b) **No Impact.** The project site is designated for high density residential development, and has been for a number of years. No agricultural designations occur within City limits.

The project site is not covered by a Williamson Act contract. No Williamson Act Contracts occur in the vicinity of the project site. Therefore, no impacts to Williamson Act Contracts would occur.

- c) **No Impact.** The project site is located in the City's urban core, and no agricultural activities occur in the vicinity. The proposed project is surrounded by development, including residential uses and the Convention Center. No agriculturally designated lands occur in the City. There will be no impact on the conversion of agricultural lands as a result of the proposed project.

**III. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

Air quality is evaluated based on Federal and State air quality standards and regulations and guidelines developed by individual air quality management districts. Mobile sources of air pollutants are primarily controlled through Federal and State agencies while stationary sources are regulated by the SCAQMD.

Development within the City is governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan (CVPM<sub>10</sub> SIP). The AQMP sets forth a comprehensive program to bring Palm Springs and the other areas within its jurisdiction into compliance with Federal and State air quality standards. CEQA requires that projects be consistent with the applicable AQMP.

The City of Palm Springs is in the Coachella Valley. Palm Springs' climate is characterized by low annual rainfall (2 to 6 inches per year) and low humidity with temperatures ranging from 80° F to 108° F in July and 40° F to 57° F in January.

The SCAQMD maintains two monitoring stations in the Coachella Valley. The stations monitor criteria pollutants ozone, nitrogen dioxide, carbon monoxide, particulate matter under 10



microns (PM<sub>10</sub>) and fine particulate matter 2.5 microns in size (PM<sub>2.5</sub>). Criteria air pollutants are contaminants for which the state and federal air quality standards have been established. They are shown in Table III-1 and described in detail below. The Coachella Valley is currently designated as a "severe-17" ozone non-attainment area. This designation indicates that the attainment date for the federal ozone standards is November 15, 2007 (17 years from the date of enactment of the federal Clean Air Act). The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

TABLE III-1  
FEDERAL AND STATE AMBIENT AIR QUALITY STANDARDS

Pollutant	AVERAGING TIME	Federal Primary Standard	State Standard
Ozone (O <sub>3</sub> )	1-Hour	0.12 ppm	0.09 PPM
	8-Hour	0.08 ppm	--
Carbon Monoxide (CO)	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Oxide (NO <sub>x</sub> )	Annual	0.05 ppm	--
	1-Hour	--	0.25 ppm
Sulfur Dioxide (SO <sub>2</sub> )	Annual	0.03 ppm	--
	24-Hour	0.14 ppm	0.04 ppm
	1-Hour	--	0.25 ppm
PM <sub>10</sub>	Annual	50 $\mu\text{g}/\text{m}^3$	30 $\mu\text{g}/\text{m}^3$
	24-Hour	150 $\mu\text{g}/\text{m}^3$	50 $\mu\text{g}/\text{m}^3$
PM <sub>2.5</sub>	Annual	15 $\mu\text{g}/\text{m}^3$	--
	24-Hour	65 $\mu\text{g}/\text{m}^3$	--
Lead	30-Day Avg.	--	1.5 $\mu\text{g}/\text{m}^3$
	Month Avg.	1.5 $\mu\text{g}/\text{m}^3$	--

Source: California Air Resources Board, "Ambient Air Quality Standards," July 9, 2003.

ppm = parts per million

$\mu\text{g}/\text{m}^3$  = Micrograms per Cubic Meter

**Ozone (O<sub>3</sub>)** is the most prevalent of a class of photochemical oxidants formed in the urban atmosphere. The creation of ozone is a result of complex chemical reactions between hydrocarbons and oxides of nitrogen in the presence of sunshine. Unlike other pollutants, ozone is not released directly into the atmosphere from any sources. The major sources of oxides of nitrogen and reactive hydrocarbons, known as ozone precursors, are combustion sources such as factories and automobiles, and evaporation of solvents and fuels. The health effects of ozone are eye irritation and damage to lung tissues.

**Carbon Monoxide (CO)** is a colorless, odorless, toxic gas formed by incomplete combustion of fossil fuels. CO concentrations are generally higher in the winter, when meteorological conditions favor the build-up of directly emitted contaminants. CO health warning and emergency episodes occur almost entirely during the winter. The most significant source of carbon monoxide is gasoline powered automobiles, as a result of inefficient fuel usage in internal combustion engines. Various industrial processes also emit carbon monoxide.

**Nitrogen Oxides (NO<sub>x</sub>)** the primary receptors of ultraviolet light initiating the photochemical reactions to produce smog. Nitric oxide combines with oxygen in the presence of reactive hydrocarbons and sunlight to form nitrogen dioxide and ozone. Oxides of nitrogen are contributors to other air pollution problems including: high levels of fine particulate matter, poor visibility and acid deposition.

**Sulfur Dioxide (SO<sub>2</sub>)** results from the combustion of high sulfur content fuels. Fuel combustion is the major source of SO<sub>2</sub>, while chemical plants, sulfur recovery plants, and metal processing are minor contributors. Sulfates result from a reaction of sulfur dioxide and oxygen in the presence of

sunlight. SO<sub>2</sub> levels are generally higher in the winter than in the summer (when sunlight is plentiful and sulfate is more readily formed).

**Particulate Matter (PM<sub>10</sub> and PM<sub>2.5</sub>)** consists of particles in the atmosphere as a by-product of fuel combustion, through abrasion such as fire wear, and through soil erosion by wind. Particulates can also be formed through photochemical reactions in the atmosphere. PM<sub>10</sub> refers to finely divided solids or liquids such as soot, dust, and aerosols which are 10 microns or less in diameter and can enter the lungs. Fine particles are those less than 2.5 micrometers in diameter and are also referred to as PM<sub>2.5</sub>.

**Lead** is found in old paints and coatings, plumbing and a variety of other materials. Once in the blood stream, lead can cause damage to the brain, nervous system, and other body systems. Children are most susceptible to the effects of lead. The South County Air Basin and Riverside County portion of the Salton Sea Air Basin are in attainment for the federal and State standards for lead.

The SCQAMD has daily significance thresholds for operational and construction-related emissions as shown in Table III-2.

TABLE III-2  
EMISSIONS SIGNIFICANCE THRESHOLD CRITERIA (POUNDS/DAY)

Pollutant	CO	PM <sub>10</sub>	NO <sub>x</sub>	SO <sub>x</sub>	PM <sub>2.5</sub>
Operational Emissions Pounds/Day	550	55	55	150	150
Construction Emissions Pounds/Day	550	75	100	150	150

Source: SCAQMD, CEQA Air Quality Handbook, November 1993.

Projects in the Coachella Valley with peak (highest daily) operation-related emissions that exceed any of these emissions thresholds should be considered significant.

- a) **No Impact.** The proposed project is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). Development at the project site will be governed by the 2003 Air Quality Management Plan (2003 AQMP) and the 2002 Coachella Valley PM<sub>10</sub> State Implementation Plan (CVPM<sub>10</sub> SIP). The project is consistent with the General Plan land use designation in which it is located. Projects that are consistent with local General Plans are considered consistent with the air quality related regional plans including the current AQMP, the Coachella Valley PM<sub>10</sub> SIP and other applicable regional plans. No impacts associated with compliance with applicable management plans are expected.
- b-c) **Less Than Significant Impact.** Long term operation of the proposed project will result in air emissions from automobile, and limited emissions from stationary sources. The traffic study prepared for the proposed project estimates that the project, at build out, will generate approximately 2,580 trips per day<sup>1</sup>. Vehicle trips are the primary source of air pollutants in the City. The expected trips will generate the following daily emissions.

<sup>1</sup> "Westin Hotel and Residences Traffic Impact Study" prepared by Endo Engineering, December 2006.

**Table III-3  
Moving Exhaust Emission Projections at Project Buildout  
(pounds per day)**

<b>Total No. Vehicle Trips/Day</b>	<b>Ave. Trip Length (miles)</b>			<b>Total miles/day</b>	
2,580	x	15	=	38,700	
<b>Pollutant</b>	CO	NOX	ROG	SOX	PM10
<b>Pounds</b>	496.1	52.7	53.5	0.3	4.5
<b>SCAQMD Thresholds</b>	550.0	55.0	55.0	150.0	150.0
<b>URBEBMIS Version 2.2</b>					
<b>Scenario Year 2007 -- Model Years 1965 to 2007</b>					
<b>Pollutant - Vehicle</b>	CO	NOX	ROG	SOX	PM10
	0.012820	0.001361	0.001383	0.000009	0.000115

The project will also result in stationary source emissions associated with the production of natural gas and electricity. The emissions, as well as the pollutants generated by moving emissions, are summarized in Table III-3, below, to show the cumulative operational impacts of the project at build out.

**Table III-4  
Anticipated Cumulative Daily Project-Related Emissions  
Associated with Build Out of the Proposed Project**

	<b>Stationary Source Emissions</b>		<b>Moving Source Emissions</b>	<b>Total Anticipated Emissions (lbs./day)</b>	<b>SCAQMD Threshold Criteria* (lbs./day)</b>
	<b>Power Plants</b>	<b>Natural Gas Consumption</b>			
Carbon Monoxide	0.6	1.4	496.1	498.1	550.0
Nitrogen Oxides	3.5	8.3	52.7	64.5	55.0
Sulfur Oxides	0.4	0.0	53.5	53.9	150.0
Particulates	0.1	0.0	4.5	4.6	150.0
Reactive Organic Gases	0.0	0.4	53.5	53.9	55.0

\* Threshold criteria offered by the South Coast Air Quality Management District for assistance in determining the significance of air quality impacts. Source: "CEQA Air Quality Handbook," prepared by South Coast Air Quality Management District, April 1993, Revised January 2006.

The Table illustrates that cumulative long term emissions will not exceed SCAQMD thresholds of significance. Impacts associated with the long term operation of the site are therefore expected to be less than significant.

- d) **Less Than Significant Impact with Mitigation Incorporated.** The proposed project will also generate emissions during the construction process. These emissions are associated with PM10 generation during the grading process, emissions from construction vehicles, and emissions associated with the applications of architectural finishes. For purposes of this

analysis, it is assumed that the entire site will be mass graded, and that the project will be built in two phases: the hotel and parking structure as one phase; and the residential units as the second phase, to demonstrate conservative projections. The potential emissions which could be generated by construction of the project are summarized below.

**Table III-5  
Fugitive Dust Potential  
(pounds per day)**

Total Acres to be Disturbed at Buildout*	Factor (lbs./day/acre)	Total Potential Dust Generation (lbs./day)
10.74	26.4	283.5

Source: Table A9-9, "CEQA Air Quality Handbook," prepared by South Coast Air Quality Management District, April 1993.

**Table III-6  
Grading - Related Exhaust Emissions Summary  
(pounds per day)**

	ROG	CO	NOx	SOx	PM <sub>10</sub>
Equipment Emissions	14.68	120.00	98.20	10.34	4.21
Workers' Vehicle Emissions	-	10.44	1.12	0.01	0.09
<b>Total Construction Emissions</b>	<b>14.68</b>	<b>130.44</b>	<b>99.31</b>	<b>10.35</b>	<b>4.30</b>
<b>SCAQMD Thresholds of Significance</b>	<b>75.00</b>	<b>550.00</b>	<b>100.00</b>	<b>150.00</b>	<b>150.00</b>

**Table III-7  
Aggregate Construction - Related Emissions\*  
(pounds per day)**

	ROG	CO	NOx	Sox	PM <sub>10</sub>
Equipment Emissions	10.12	84.03	62.73	13.22	2.09
Workers' Vehicle Emissions	-	48.08	5.10	0.03	0.43
Asphalt Paving Emissions	0.33	-	-	-	-
Architectural Coatings Emissions	55.50	-	-	-	-
<b>Total Construction Emissions</b>	<b>65.95</b>	<b>132.11</b>	<b>67.83</b>	<b>13.26</b>	<b>2.52</b>
<b>SCAQMD Thresholds of Significance</b>	<b>75.00</b>	<b>550.00</b>	<b>100.00</b>	<b>150.00</b>	<b>150.00</b>

\*Assumes 3,000 s.f. of architectural coating per day, 1 acre of asphalt per day, and 125 worker trips per day. Also assumes 1 crane, 2 excavators, one off-highway tractor, one paver, one trencher and one rough terrain forklift per day.

Based on standard construction practices, it is expected that the emissions shown in Tables III-5 and III-6 will occur at the same time, while those in Table III-7 will occur separately, at the conclusion of grading activities. On this basis, the proposed project will not exceed SCAQMD thresholds during construction, but will exceed SCAQMD thresholds for PM10 during the grading process (chemical emissions associated with grading are expected to be below thresholds). The City requires that all projects prepare PM10 management plans prior to the issuance of grading permits. These plans are required to

be consistent with the SCAQMD PM10 Management Plan, and implement best management practices, including site watering, soil stabilization for inactive areas, and other measures to reduce PM10 emissions during grading. The project proponent will be required to submit, and the City Engineer will review and approve, PM10 Management Plans for the grading of the site. In addition, to assure that all feasible mitigation measures are employed to reduce PM10 emissions at the site, mitigation measures are provided below.

### Mitigation Measures

In order to assure that impacts associated with PM10 are reduced to less than significant levels, the following mitigation measures shall be implemented as part of the proposed project's PM10 Management Plan.

- MM III-1.** Apply non-toxic soil stabilizers according to manufacturers' specification to all inactive construction areas (previously graded areas inactive for ten days or more).
- MM III-2.** Enclose, cover, water twice daily or apply non-toxic soils binders according to manufacturers' specifications, to exposed piles (i.e., gravel, sand, dirt) with 5% or greater silt content.
- MM III-3.** Water active sites at least twice daily.
- MM III-4.** Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph.
- MM III-5.** Sweep streets at the end of the day if visible soil material is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water).
- MM III-6.** Replace ground cover in disturbed areas as quickly as possible.

Implementation of these mitigation measures would reduce construction-related emissions in accordance with the reduction efficiencies shown in Tables 11-3 and 11-4 of the SCAQMD CEQA Handbook. These measures are considered adequate by the District to reduce emissions to less than significant levels.

- e) **No Impact.** As demonstrated in the Tables above, the proposed project will not result in violations of SCAQMD thresholds during its operation, and will result in less than significant impacts, with the implementation of mitigation measures, during the construction phases. The proposed project will not result in significant traffic impacts (please see Traffic and Circulation, below) which might generate impacts associated with traffic congestion. Therefore, the proposed project is not expected to subject people to substantial pollutant concentrations.
- f) **Less Than Significant Impact.** The proposed project will result in hotel, residential and parking uses. The residential and hotel uses are expected to generate cooking odors consistent with these uses. These odors are not expected to be unduly unpleasant, and will be temporary and periodic. The parking structure will generate odors associated with vehicle exhaust. However, the parking structure (and residential garage) will be required



to be vented, either mechanically or naturally, and will not result in concentrated odors at the site. Overall impacts associated with odor are expected to be less than significant.

**IV. BIOLOGICAL RESOURCES**

**Would the project:**

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Setting**

The proposed project occurs within the boundaries of the Section 14 Master Plan. Undisturbed parcels in this area of the City consist of Sonoran creosote bush scrub<sup>2</sup>. The project site, however, consists of an existing parking lot, with only ornamental vegetation present in landscaping planters, and vacant lands which have been cleared and graded. Only the northernmost 0.75 acres of the project area remain in native Sonoran creosote bush scrub.

<sup>2</sup> "Section 14 Master Development Plan EIS/EIR," July 2002.

**Discussion of Impacts**

**a-e) No Impact.** Two-thirds of the site are developed and covered in asphalt. Approximately one third of the site is undeveloped. However, the majority of the undeveloped lands are significantly disturbed, having been cleared and graded. About one acre of native vegetation remains on the northern boundary of the site. This area is not identified as having potential habitat for any sensitive species<sup>3</sup>. No impacts are expected to sensitive resources.

There is no riparian habitat or other native community on the site. No wetlands occur on the property.

The site is surrounded by roadways or other development, and has no potential as a migratory corridor.

The proposed project will not interfere with any City policies regarding the preservation of plants or animals.

**f) No Impact.** The City currently participates in the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan. The project proponent will be required to pay the mitigation fee in place at the time of issuance of grading permits for this species. The site is within the traditional reservation of the Agua Caliente Band of Cahuilla Indians, and as a result is governed by the provisions of the Draft Tribal Multiple Species Habitat Conservation Plan. The project proponent will be required to comply with the provisions of that Plan at the time that building permits are issued. Since the site is not potential habitat for covered species within that Plan, the payment of fees will be required.

<sup>3</sup> Ibid.



**V. CULTURAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

The City occurs in the traditional territory of the Desert Cahuilla, with a history dating back to 1,000 BC. Evidence of Cahuilla occupation in the Coachella Valley dates to over 500 years ago, when the Tribe settled around ancient Lake Cahuilla, in the area of present day La Quinta and Indio. The canyons surrounding Palm Springs also have yielded evidence of use by the Tribe, which took advantage of water sources, food sources from plants and animals, and rock for tool-making.

The City's modern history began in the early 1870s, when John Guthrie McCallum purchased land in the area, and later subdivided it. Rapid expansion in the area began in the 1920s, with the City's spreading reputation as a health resort, and the increased interest from the Hollywood movie community. Until the end of World War II, architecture in the town site consisted primarily of Mission Revival and Spanish Colonial Revival structures. Development was centered around Palm Canyon Drive, as hotels and shops were constructed.

The City occurs well outside the boundary of ancient Lake Cahuilla, an area where paleontological resources have occurred. Further, soils in the City are generally post-Pleistocene age alluvium from the surrounding mountains, too new in the context of paleontology to yield fossilized remains.

**Discussion of Impacts**

- a) **No Impact.** The developed portion of the project site consists of a paved parking lot. No structures occur on any portion of the site. No impacts to historic resources are expected to occur as a result of build out of the proposed project.
- b) **Less Than Significant Impact with Mitigation Incorporated.** The project site occurs within the boundaries of the Section 14 Master Plan. The EIR prepared for that project identified the potential for buried resources throughout the area, including the project site. This was identified as a potentially significant impact which required mitigation.

**Mitigation Measures**

In order to assure that impacts associated with cultural resources are mitigated to less than significant levels, the following mitigation measure shall be implemented.

**MM V-1.** As there is always a possibility of buried cultural and paleontological resources in a project area, a Native American Monitor(s) shall be present during all ground disturbing activities including clearing and grubbing, excavation, burial of utilities, planting of rooted plants, etc.. The Agua Caliente Band of Cahuilla Indian Cultural Office shall be contacted for additional information on the use and availability of Cultural Resource Monitors. Should buried cultural deposits be encountered, the Monitor shall contact the Director of Planning Services. Following consultation, the Director shall have the authority to halt destructive construction and shall notify a qualified archaeologist to investigate the find. If necessary, the qualified archaeologist shall prepare a treatment plan for submission to the State Historic Preservation Officer and Agua Caliente Cultural Resource Coordinator for approval. Human remains discovered shall be handled consistent with state law provisions.

- c) **No Impact.** The City and project site are outside the shoreline of ancient Lake Cahuilla. The site is underlain by alluvium which is post-Pleistocene, and not suitable for paleontological resources. Development of the project site will have no impact on paleontological resources.
- d) **Less than Significant Impact.** No known burial ground or cemetery occurs on the project site. The portion of the site which is currently occupied by the parking lot has been previously excavated for its construction, and no remains were identified at that time.

However, should human remains be discovered during construction of the proposed project, the project contractor would be subject to State law regarding the discovery and disturbance of human remains. In that circumstance, the project contractor is required to immediately notify law enforcement, and allow the coroner to determine the nature of the remains (historic or pre-historic, human or not). The coroner is also responsible for the proper removal and potential re-burial of the remains, and consultation with Tribal officials, if the remains are determined to be Native American. As a result of these State requirements, impacts to human remains are expected to be less than significant.

**VI. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The San Andreas Fault zone is the major fault in the Coachella Valley. Breaks associated with the Fault cover a generally northwest-southeast trending zone approximately 10 miles wide, north and east of the project site (Smith, Peroni & Fox, 1992). This area of the City is not within or adjacent to any Alquist Priolo Fault Zones. The nearest fault zone is located north of Interstate 10, over 5 miles from the project site.

Soils in the City consist of alluvial deposits which originated in the surrounding mountains. Soils on the site are typical of those found in Section 14, and include Carsitas fine sand, and Myoma fine sand.

#### Discussion of Impacts

a)

- i) **No Impact.** The San Andreas Fault system is located approximately five miles northeast of the project site. The San Jacinto Fault System is approximately five miles south of the project site. The project site is not located within an Alquist-Priolo Earthquake Fault Zone. Therefore, fault rupture is not expected to occur on the project site.
- ii) **Less Than Significant Impact.** During a significant seismic event on either the San Andreas or the San Jacinto faults, the project site, and the rest of the City, will be subject to significant ground acceleration. The City requires that all structures be constructed to Uniform Building Code (CBC) requirements for Seismic Zone 4. The standards included in the Code have been designed to assure that impacts associated with earthquakes are reduced to less than significant levels. The proposed project will be required to conform to these standards. Therefore, the impacts associated with seismic ground motion are expected to be less than significant.
- iii) **No Impact.** Liquefaction is caused by the loss of soil cohesion due to exposure to shallow groundwater in a seismic event. Liquefied soils cannot support structures, and can cause failure of these structures. The preliminary geotechnical analysis prepared for the project site identified no ground water to a depth of 51.5 feet, and further estimated that depth to groundwater in the area is more than 225 feet<sup>4</sup>. The potential for liquefaction on the site is therefore negligible. No impacts associated with liquefaction are expected as a result of project implementation.
- iv) **No Impact.** The project site is flat, and is surrounded by lands which are equally flat. There is no potential for landslide hazards on the project site.

- b) **Less than Significant Impact.** The site will be subject to both water and wind soil erosion during grading and construction. The analysis and mitigation measures included in the Air Quality section of this Initial Study will reduce the impacts associated with erosion from wind to less than significant levels.

For water erosion impacts, the City implements the requirements of the National Pollution Discharge Elimination System (NPDES), for all projects of more than one acre. NPDES requirements include the implementation of best management practices (BMP's) to assure that during construction, sediment displaced by rain storms is not transported off the site. Through the preparation of a Storm Water Pollution Prevention Plan (SWPPP), the project proponent will implement these best management practices to meet the City's NPDES standards. These standards will assure that impacts associated with water erosion are reduced to less than significant levels. (Please also see Hydrology and Water Resources section below.)

- c) **No Impact.** The project site is flat and a majority of it has been previously graded to accommodate the construction of the parking lot. This grading was conducted on

<sup>4</sup> "Preliminary Geotechnical Investigation for Due Diligence Purposes Proposed Westin Hotel and Residences," prepared by Leighton Consulting, Inc., November 2006.

behalf of the City, to City standards. The City will require geotechnical analysis and structural engineering specific to the proposed project, including analysis of additional soil excavation or compaction, if necessary of both the developed and undeveloped portions of the site. These standard requirements will assure that impacts associated with soil stability are less than significant.

- d) **No Impact.** The soils at the project site are not expansive. No impact is expected.
- e) **No Impact.** The proposed project will be required to connect to the City's sanitary sewer system. No septic tanks will occur on the site. There will be no impact to area soils associated with septic tanks.

**VII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The proposed project site is partially developed. Prior to the construction of the parking lot, the site was vacant. No chemical or hazardous waste disposal has been documented on the site. There are no known underground tanks or buried materials on the project site.

**Discussion of Impacts**

**a)-b) *Less Than Significant Impact.*** The proposed project will include the development of a 200 room hotel and residential land uses on approximately 10.47 acres of land.

The 145 residential units are expected to store small quantities of household cleaners and chemicals, typical of any household. The City contracts with Palm Springs Disposal Services for the disposal of household hazardous waste. These programs include an ABOP (Acid, Batteries, Oil, Paint) facility, located on Alejo Road, approximately 1.5 miles from the project site. In addition, regional household hazardous waste programs are held throughout the year in the Coachella Valley. These existing programs will ensure that household hazardous waste is disposed of properly, and that potential impacts associated with these materials are less than significant.

The proposed hotel will store and utilize commercial cleansers and chemicals used in housekeeping and commercial cleaning activities. Although quantities are expected to be larger than for the condominium portion of the project, the hotel will be required to store these materials consistent with City and County requirements. In addition, the Fire Department will inspect the hotel for compliance with its standards. These requirements will assure that impacts associated with the storage of commercial grade cleansers and chemicals on the site are reduced to less than significant levels.

The parking structures on the project site will have the potential to collect small amounts of oils and chemicals from leaking vehicles. The structures will be required, however, to meet City standards for such facilities, including the proper cleaning of impermeable surfaces, and the disposal of storm water within the structure. Any disposal facility will be required to separate the oils and chemicals which may accumulate on the concrete surfaces so that they are not allowed to enter surface or ground waters. These standards and requirements will assure that the impacts associated with hazardous materials in the parking structures are reduced to less than significant levels.

**c) *No Impact.*** There are no schools located or planned within one quarter mile of the project site. There will be no impact to schools.

**d) *No Impact.*** A Phase I Environmental Site Assessment (ESA) was prepared for the proposed project<sup>5</sup>. The ESA included research on State and federal databases, which determined that the project site is not listed as having been contaminated, or having underground storage tanks. No impacts associated with past hazardous materials contamination are expected on the project site.

**e-f) *No Impact.*** The Palm Springs International Airport is located 1.5 miles east of the project site. The project site is not located within the boundaries of the airport's land use plan. There are no private airstrips in Palm Springs.

<sup>5</sup> "Phase One Environmental Site Assessment for Property Located at Northeast Corner of Calle Alvarado and Amado Road," prepared by MSA Consulting, September 2006.

- g) **No Impact.** The proposed project occurs on established City streets, including Avenida Caballeros and Amado Road, both of which are General Plan Circulation Element streets. The project site is one half mile north of Tahquitz Canyon Road, a major east-west roadway through the City. The project does not propose alteration of this existing street system, and will therefore not have any impact on established evacuation routes or emergency responses. Circulation within the site has been reviewed by the Fire Department, to ensure that the internal driveways are adequate for emergency vehicles. There will be no impact associated with emergency response resulting from project build out.
- h) **No Impact.** Lands surrounding the site are developed as either roadways or residential units. There are no wildlands in the vicinity of the project site. The slopes of the San Jacinto Mountains occur approximately 1.5 miles west of the project site, with intervening urban development occurring between them and the project site. Development of the proposed project will not expose people to injury or death from wild land fires. There will be no impact associated with wildland fires at the project site.



**VIII. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



VIII. HYDROLOGY AND WATER QUALITY

Would the project: levee or dam?	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting

The project site will be served by Desert Water Agency (DWA), which supplies domestic water to the City. The DWA pumps water from a number of wells throughout the area for domestic use. Groundwater has historically been the principal source of domestic water in the City. DWA also recharges groundwater through recharge basins located in the northwestern portion of the City. Sanitary sewer services to the site will be provided at the City's treatment plant.

The project site is located in a FEMA Zone C, designating that the site is outside the 100 year flood boundary, and therefore not subject to flooding. The site, and surrounding area are generally flat, with storm flows traveling through the site from north to south as sheet flows. The existing parking lot conveys storm flows to the south, into Amado Raod.

Discussion of Impacts

- a) **Less Than Significant Impact.** The proposed hotel and condominium units will be required to connect to DWA water facilities, and City sanitary sewer facilities. Both agencies are regulated by State and federal agency standards which assure compliance with water quality and waste discharge requirements, respectively.

During construction, storm flows through and around the site will be susceptible to pollution from construction activities, including siltation. The City will require compliance with NPDES regulations for all project construction activities, including the preparation of a SWPPP, which must include best management practices to assure that storm water leaving the site is not polluted, and does not impact water quality standards.

Overall impacts associated with water quality are expected to be less than significant.

- b) **Less than Significant Impact** The project site currently uses domestic water in irrigating the parking lot on the southerly two thirds of the site. The development of 200 hotel rooms and 145 condominiums will result in an increase in domestic water usage. A consumption rate of 4.13 acre feet/acre/year was estimated for the condominiums, and 5.69 acre feet/acre/year for the hotel facility<sup>6</sup>. Based on these consumption rates, the proposed project will result in a demand for domestic water of 13.3 acre feet for the condominiums, and 18.6 acre feet for the hotel, for a total usage of 31.9 acre feet per year at the site. The parking structure will result in a minor need for domestic water associated with the irrigation of perimeter landscaping, however this water usage is expected to be equivalent to, or less than that currently utilized by the parking lot landscaping, resulting in no net increase in water use.

<sup>6</sup> Water consumption factors 2004, Coachella Valley Water District.

The Desert Water Agency (DWA), the water provider for the proposed project, uses surface water (streams in the San Jacinto Mountains), groundwater, State Water Project water, and recycled water to provide domestic water service to its customers. The reliability of DWA's water supply is excellent, since the Agency relies on local water sources and has imported and stored water within the Whitewater River Subbasin to meet expected demands. As a result, drought conditions in southern California have not impacted DWA's ability to meet its service demand. For future growth, DWA has also implemented water replenishment programs, for both the Whitewater River and Mission Creek Subbasins, which optimize and protect the groundwater and provide sound management of water supplies. The Agency also is increasing its production of recycled water, from the current 2,850 acre feet per year to 6,000 acre feet per year in 2010, and 8,000 acre feet per year in 2020.

In 2005, DWA had 60,450 acre feet per year in water supply, including all sources of water, and non-consumptive return<sup>7</sup>. In that same year, DWA had a demand for groundwater of 45,400 acre feet per year. DWA's water supply is expected to increase to 65,600 acre feet per year, mostly due to increases in production of recycled water, which will rise from under 3,000 acre feet per year in 2005, to 6,000 acre feet per year in 2010. The proposed project will increase this demand to 45,432 acre feet per year, resulting in a surplus of water of 15,018 acre feet per year. When other projects in the area are added (the proposed project, the One Palm Springs project, and the Privado project), the cumulative demand for water will increase by 98.26 acre feet per year, for a total demand of 45,498.26 acre feet per year, and a total surplus of 14,951.74 acre feet per year.

The increase caused by the proposed project alone represents a 0.07% increase over existing demand, and will not significantly impact water supplies available to DWA. The increase caused by all three projects represents a 0.2% increase in total demand, and is also not significant. Impacts associated with water consumption for the proposed project are not expected to be significant.

The Urban Water Management Plan demonstrates that during normal water years, and single dry years, the Agency will have a cumulative water surplus from existing water sources through 2030. During multiple dry year conditions, the amount of groundwater storage will be reduced by less than 1%, depending on the amount of non-consumptive return during these time periods. The rate of non-consumptive return had previously been estimated at 35% of water production, but has recently been thought to be as high as 40-45% of production, and is currently being re-evaluated. During normal water years, the non-consumptive return would result in an increase in groundwater in storage of between 60,000 and 206,000 acre feet from 2005 and 2030, depending on the rate of return, after the Agency's demand is met. In single dry years, the increase in groundwater would range from 19,000 to 170,000 acre feet per year, depending on the rate of non-consumptive return. In multiple dry years, the groundwater basin would decrease by 60,000 to 74,000 acre feet between 2005 and 2030, which represents a cumulative decrease of less than 1%, and is not a significant impact on the groundwater basin.

The project site is designated for high density residential development, including resort hotel development. The proposed project is consistent with this designation. DWA has adopted an Urban Water Management Plan which details the availability of water for its

<sup>7</sup> "Desert Water Agency 2005 Urban Water Management Plan," prepared by Krieger & Stewart, December 2005.

service area through the year 2030. Since the Plan is based on General Plan land uses, and the proposed project is consistent with the General Plan, the proposed project has been included in the DWA's assumptions for water use. DWA has sufficient supplies, or plans for additional supplies to provide domestic water to its service area through that period. DWA also recharges its groundwater basin at recharge basins located in the northern end of the City. In addition, the City requires the implementation of water conserving measures in all new development. These existing programs, standards and policies will help to reduce potential impacts on water resources. Impacts are expected to be less than significant.

- c-d) **Less Than Significant Impact.** The City requires that new development projects retain the increased storm water runoff resulting from site development on site and discharge storm flows at a rate equal to or less than the pre-development conditions, in compliance with local and federal requirements. The project site is currently partially developed with a parking lot which drains to Amado Road. The northern one third of the site is vacant, and has been previously graded.

A Preliminary Drainage Study was prepared for the proposed project<sup>8</sup>. The drainage study found that the site is generally flat, with only a 1.7% gradient to the south and west. The site currently accepts flows from the property to the north. The Study analyzed the storm flows resulting from the 100 year, 1 hour storm, and determined that runoff from the project site at build out will result in a need to retain 27,010 cubic feet of water on site. The Study further determined that underground retention facilities would be constructed for the proposed project, consisting of a 96 inch diameter corrugated metal pipe, 540 feet in length, will have sufficient capacity to retain the flows generated by the build out condition. The pipe is proposed to occur along the eastern property boundary, under a service road adjacent to the condominiums. Storm flows on the site will be directed to a series of inlets to be located behind the hotel portion of the site. The construction of this on site storm water system will assure that impacts associated with downstream properties are reduced to less than significant levels.

The project will also be required to comply with the City's standards associated with surface water management, including the submittal of an NPDES permit for non-point pollution associated with construction activities. A SWPPP is also required to be prepared for this project to ensure compliance with NPDES. The SWPPP must include best management practices for the control of silt and pollutants during construction on the site. These standard requirements will assure that impacts associated with pollution of the surface waters are reduced to less than significant levels.

The City may also require, as a condition of approval, that the project install measures in accordance with applicable National Pollution Discharge Elimination System (NPDES) Best Management Practices (BMP's), including mechanical or other means for pre-treating storm water runoff during long term project operation, in compliance with the requirements of the Regional Water Quality Control Board at the time that the project is constructed.

- e) **Less Than Significant Impact.** The proposed project's Preliminary Drainage Study resulted in the design of a surface water management system which will retain the incremental increase in storm water runoff resulting from development of the project on site. As a

<sup>8</sup> "Preliminary Drainage Study for Tentative Tract Map No. 35236," prepared by Fomotor Engineering, December 2006.

result, the proposed project will not contribute runoff which would impact off-site drainage facilities. The Preliminary Drainage Study will be refined through the preparation of final plans for the site, to assure that the facilities proposed are consistent with the needs of the ultimate building envelopes on the site. The City will review the final hydrology study, SWPPP and NPDES best management practices, to assure that storm flows do not exceed current volumes, and are not polluted. These standard conditions of approval will assure that impacts associated with storm flows are reduced to less than significant levels.

- f) **No Impact.** All components of the proposed project will be required to comply with City standards for the preservation of groundwater quality. No other water quality issues are expected to result from implementation of the proposed project.
- g-h) **No Impact.** The project site is located in Flood Zone C, indicating an area which is not subject to 100 year storm inundation. No impacts associated with flood zones are expected.
- i)- j) **No Impact.** The project site is not in the vicinity of a levee or dam. The City is not located in the vicinity of a body of water which could be subject to either seiche or tsunami. The project site is flat, and surrounded by urban development, and therefore not subject to mud flows. No impacts are expected.

**IX. LAND USE AND PLANNING**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The project site is governed by the policies and land use designations of the Section 14 Master Plan. The project site is designated Residential High in the Master Plan, and has a zoning designation of R-4 and RGA-8.

The City currently implements the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan. The site is also subject to the provisions of the Tribal Multiple Species Habitat Conservation Plan, as discussed above under Biological Resources.

**Discussion of Impacts**

- a) **No Impact.** The proposed project site currently accommodates a parking lot, and is adjacent to existing self-contained condominium projects on its east and west. The development of the proposed project will not divide any of these communities.
- b) **No Impact.** The Section 14 Master Plan allows for the development of multiple family dwellings and resort hotels in the Residential High land use designation. The proposed project is therefore consistent with the Master Plan. The zoning designations of R-4 and RGA-8 also allow for the development of multi-family residential units and resort hotel development on the project site. There will be no impact to land use plans as a result of the proposed project.
- c) **No Impact.** The City will require the applicant to comply with the requirements of the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan, and the Tribal Multiple Species Habitat Conservation Plan. No conflicts with these plans will occur as a result of project build out.

**X. MINERAL RESOURCES**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The California Division of Mines and Geology identifies portions of Palm Springs as a resource zone for aggregate/industrial minerals. The majority of the City is located in Mineral Resource Zone 3 MRZ-3 (an area containing mineral deposits the significance of which cannot be evaluated from available data). MRZ-2 areas are located in the northern portion of the City. MRZ-2 represents an area where adequate information has been established to indicate that significant mineral deposits are present, or where it has been judged that a high likelihood for such deposits exists. Minerals in the Palm Springs area are limited to sand and gravel for aggregate and/or decorative stone purposes and limestone (Smith, Peroni and Fox, 1992).

**Discussion of Impacts**

**a-b) No Impact.** The proposed project occurs in an urbanized area of the City. The project site is currently partially developed as a parking lot for the Convention Center. The site is designated for urban residential development, and does not contain significant mineral resources. There will be no impact to mineral resources.

XI. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity, above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The City of Palm Springs requires that the community noise equivalent level (CNEL) does not exceed 65 dB at the exterior living areas (rear yards) or 45 dB at the habitable interior living area for residential land uses.

Existing noise levels in the area of the project site currently range from 65 dBA CNEL to 70 dBA CNEL at a distance of 50 feet from the centerline of the streets. These noise levels are primarily caused by automobile traffic on surrounding streets.

**Discussion of Impacts**

a) **Less Than Significant Impact with Mitigation Incorporated.** The proposed project will result in the construction of a 200 room hotel, 145 condominium units and a parking structure on a 10.47 acre parcel.

The development of the condominiums is consistent with residential development occurring in the project area, and their long term operation will not result in the



generation of noise levels in excess of those generally occurring in the area. The condominiums are to be located adjacent to Calle Alvarado, a local street which does not generate substantial traffic, and is not expected in the future to generate substantial traffic, which will exceed City standards. Calle Alvarado currently experiences noise levels of 57.8 dBA CNEL at 50 feet from its centerline. Future noise levels (2020) are expected to rise to 58.0 dBA CNEL, still well below the City's standard of 65 dBA CNEL for residential development. Further, the condominiums to be located along Calle Alvarado will be set back at least 35 feet from the street right of way. The condominiums proposed in the southern portion of the site will be located at least 325 feet from Amado Road, and will be screened from Amado by the hotel structures, which will effectively reduce noise at this location. Impacts associated with noise for the condominium portion of the project are expected to be less than significant.

The hotel portion of the project will be located in the southwestern quadrant of the site, and will result in the location of hotel rooms on Amado Road. The majority of these hotel rooms will have operable windows on Amado, but will not have balconies or terraces facing this direction. Hotel room windows will occur at a distance of approximately 65 feet from the ultimate centerline of Amado Road. Existing noise levels are estimated to be 70.3 dBA CNEL at 50 feet of the existing centerline of Amado Road. Future noise levels (year 2020) are expected to 70.7 dBA CNEL at 50 feet from centerline. Therefore, it can be expected that noise levels at the hotel rooms located on Amado Road will exceed the 65 dBA CNEL standard. However, since no balconies are proposed for these rooms, the residents of these rooms will not be exposed to noise levels in excess of the City's standards. Standard construction practices generally reduce exterior noise levels by approximately 20 dBA<sup>9</sup>. Therefore, it would be expected that the interior noise levels at these hotel rooms would be 50 dBA CNEL. This noise level exceeds City standards of 45 dBA CNEL, and represents a potentially significant impact which requires mitigation. Effective mitigation can be provided by the installation of single-glazed windows, which would be expected to reduce noise levels by 25 dBA<sup>10</sup>, thereby reducing interior noise levels to 45 dBA.

The proposed parking structure will expose persons to noise levels generated by traffic on both Avenida Caballeros and Amado Road. These noise levels are expected to be approximately 70 to 70.7 dBA CNEL at 50 feet from centerline. The construction of the structure will reduce the noise levels somewhat. Further, the parking structure, as a temporary and quasi-commercial use, is not considered a sensitive receptor in the General Plan, and is not required to experience noise levels of 65 dBA. Therefore, the impacts on site associated with the parking structure are expected to be less than significant.

Finally, the City will require the preparation of noise impact analysis relating to the building plans submitted for construction for both the hotel and condominium portions of the proposed project. This analysis is required to show that building construction will result in interior noise levels not exceeding 45 dBA CNEL. This City requirement will reduce potential impacts associated with on-site noise on sensitive receptors.

<sup>9</sup> "Highway Traffic Noise Analysis and Abatement Policy and Guidance," prepared by the Federal Highway Administration, June 1995.

<sup>10</sup> *Ibid.*

**Mitigation Measures**

In order to assure that noise impacts are reduced to less than significant levels, the following mitigation measure shall be implemented.

**MM XI-1.** All hotel rooms fronting on Amado Road shall be constructed, at a minimum, with single-glazed windows.

- b) **No Impact.** Temporary and periodic ground borne vibration may occur during construction of the project, particularly as heavy equipment grades the site. These vibrations would not be expected to be sustained, and since grading equipment moves across a site, would be short term. No long term impacts associated with vibration are expected from the development of the proposed project.
- c) **Less Than Significant Impact with Mitigation Incorporated.** The proposed project's contribution to area noise levels will primarily be from vehicles on area roadways. As described above, noise levels in the area of the proposed project in the long term are expected to be about 70 dBA CNEL at 50 feet from centerline. Surrounding projects, including the existing condominiums in the area, have perimeter walls, which reduce noise levels to acceptable standards in the outdoor areas of these projects.

The operation of the hotel will also generate noise associated with deliveries and "back of house" activities in areas located approximately 50 feet south and west of the residential condominiums which currently occur immediately north of the site. The noises will generally be temporary and periodic, but will include truck traffic, backing beepers, and catering activities. A 6 foot wall is proposed along the perimeter of the site, which will reduce these noise levels. In addition, the loading dock is proposed to be recessed and enclosed, which will contain noise levels. Finally, exterior access to the "back of house" will be significantly limited, with only one doorway proposed, thereby limiting the potential for outdoor activities adjacent to the residential land uses. Nevertheless, commercial loading and unloading activities could represent a nuisance for adjacent residences, particularly during the quieter evening and night-time hours. This could be considered a significant impact, which requires mitigation.

The operation of the parking structure will result in temporary and periodic noise associated with vehicle parking. The structure, however, is to be constructed of masonry, which will provide a significant reduction in noise by absorbing sound generated by vehicles. Car doors and engine noises will, however, have the potential to be a nuisance for the adjacent residents to the north. This could be considered a significant impact, which requires mitigation.

**Mitigation Measures**

In order to assure that noise impacts are reduced to less than significant levels, the following mitigation measure shall be implemented.

**MM XI-2.** Deliveries and loading and unloading activities at the hotel loading dock shall be limited to the hours of 7 a.m. through 7 p.m.

**MM XI-3.** The north wall of the parking structure shall be constructed with as few openings as possible, in order to control noise levels to the north.

- d) **Less Than Significant Impact with Mitigation Incorporated.** Construction of the proposed project will result in elevated noise levels, particularly during the grading of the site. The peak noise level for most of the equipment that would be used during construction on the project site ranges from 70 to 95 dBA at a distance of 50 feet. The southern-most units at the existing condominiums north and east of the site can be expected to experience noise levels in this range for short periods of time. Construction noise is, however, temporary, and is regulated by the Municipal Code to occur during the noisier day time hours, which helps to lower the potential impacts. Should heavy equipment be stored or maintained adjacent to the existing condominiums, however, the noise levels could potentially be sustained, which would result in a potentially significant impact which requires mitigation.

**Mitigation Measures**

- MM XI-4. Construction activities on-site shall occur only between 7:00 a.m. and 7:00 p.m., Monday-Friday, and 8:00 a.m. and 5:00 p.m. on Saturdays, as specified by the Palm Springs Municipal Code.
- MM XI-5. All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.
- MM XI-6. All construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.
- MM XI-7. Stockpiling and vehicle staging areas shall be located as far as practical from surrounding residential development.
- MM XI-8. Parking, refueling and servicing operations for all heavy equipment shall be located at the southeast corner of the site.
- MM XI-9. Stationary equipment shall be placed such that emitted noise is directed away from noise-sensitive receptors.
- e, f) **No Impact.** Palm Springs International Airport is located 1.5 miles east of the proposed project, and does not conduct flight operations over the proposed project. There are no private airstrips in Palm Springs. No impacts associated with aircraft operational noise levels are expected.

**XII. POPULATION AND HOUSING**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The City of Palm Springs population grew from 40,181 to 42,807 from 1990 to 2000. This represents a 6.5 increase over the ten year period. In 2006, the City's population is estimated at 46,437, an increase of 8.5% in five years. Housing units increased from 30,517 to 30,823 from 1990 to 2000, and to 32,841 in 2006. The City has an average of 2.1 persons per household.

**Discussion of Impacts**

- a) **No Impact.** The development of 145 condominiums has the potential to increase the City's population by approximately 305 persons, which is not substantial, and will be absorbed by normal growth rates in the community. The hotel will generate a need for employees who will require housing. However, since the size of the hotel will be limited to 200 rooms, it can be expected that the additional employees required to operate it would be similar in number, and would also represent normal annual growth rates in the community. No impact is expected.
- b, c) **No Impact.** The project site consists of vacant land and an existing parking lot. No structures will be eliminated as a result of the project, and no persons will be displaced.

**XIII. PUBLIC SERVICES**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

**Fire Protection.** The Palm Springs Fire Department will provide service to the proposed project site. The Department currently operates five fire stations located throughout the city. The station closest to the project site is station #442, located at 300 N. El Cielo, 1.5 miles from the project site. The station houses one 85' aerial platform, one 1,800 gallon water tender, and one breathing support vehicle. The station is manned on a 24 hour basis with one Captain, one Engineer, and one Firefighter. Also available to serve the project site are station #441, located at 277 North Indian Canyon, about 2.5 miles from the project site, and station #443, located at 590 E. Racquet Club, about two miles from the project site.

The City has established maximum fire response time at five minutes. The Department receives funding for operational and capital improvements through the City's General Fund (Smith, Peroni & Fox, 1992).

**Police Protection.** The City of Palm Springs Police Department provides law enforcement services within the City Limits. The Department has a Services Division and an Operations Division. The Department does not have a standard ratio of officers to population, but does have a desired response time of 6 minutes for emergency calls and 20 minutes for non-emergency calls. The Department is funded from the City's General Fund (Smith, Peroni & Fox, 1992).

**Schools.** The Palm Springs Unified School District (PSUSD) provides educational services for grades K-12 in the City of Palm Springs. Currently, there are 4 elementary schools, 1 middle school and 1 high school in the City. PSUSD receives funding from school facilities fees, state funding, and local funding. PSUSD is authorized to collect school facilities fees as provided for in Government Code Section 53080 et. seq. and 65995 et seq. in the amount of \$2.35 per square foot of residential development.

**Parks.** The City of Palm Springs has seven parks located on approximately 140-acres within its boundaries. These include Desert Highland Park, Victoria Park, Ruth Hardy Park, Sunrise Park, Baristo Park, Demuth Park and Palm Springs dog park. The City has a standard park ratio of 5 acres of parkland for every 1,000 population as required by City Ordinance 1632.

**Discussion of Impacts**

- a) **Less Than Significant Impact.** The proposed project will generate additional need for fire protection from the City Fire Department, but is not expected to require additional services beyond those currently available.

The project will generate property, sales and transient occupancy tax, which will offset the cost of providing these services. Further, the City includes, as a standard condition of approval, requirements that projects participate in Community Facilities District(s) to assure that the costs associated with added services are recovered. This condition will assure that impacts to fire services are reduced to less than significant levels.

The Fire Department has reviewed, and will continue to review project plans to assure that project designs meet all requirements of the Fire Code. This standard practice will assure that impacts associated with fire services are less than significant.

- b) **Less Than Significant Impact.** The proposed project will generate additional need for police protection, but is not expected to require services beyond those currently available.

The Police Department will be provided building plans for review prior to the approval of the project, to assure that defensible space is provided within the project boundaries.

The project will generate property, sales and transient occupancy tax, which will offset the cost of providing these services. Further, the City includes, as a standard condition of approval, requirements that projects participate in Community Facilities District(s) to assure that the costs associated with added police services are recovered. This standard requirement will assure that impacts to police services are reduced to less than significant levels.

- c) **Less Than Significant Impact.** The project proponent will be required to pay the mandated school fees in place at the time that building permits are issued. The payment of these fees is designed to offset the additional students generated by the proposed project. This fee will assure that the impacts to schools are reduced to less than significant levels.

- d) **Less Than Significant Impact.** The City has implemented a "Quimby" or park fee ordinance to assure that adequate park space is provided for future residents. The project proponent will be required to pay the park fees in place at the time that building permits are issued. This fee will assure that the impacts to City parks are reduced to less than significant levels.

- e) **Less Than Significant Impact.** The addition of the proposed project will result in a minor impact on governmental services. The project will generate property, sales and transient occupancy tax, which will offset the cost of providing these services.

**XIV. RECREATION**

**Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

In addition to the 140-acres of developed parkland and public and private golf courses which occur in the City, the City also includes the Whitewater Wilderness Study Area and the Murray, Andreas and Palm Canyon recreation areas which are operated by the Agua Caliente Band of Cahuilla Indians (Smith, Fox & Peroni, 1992).

**Discussion of Impacts**

a-b) **Less Than Significant Impact.** The condominium component of the proposed project will include a pool area and club room for residents, which will provide on-site recreational opportunities. In addition, the proposed project will participate in the City's parkland fee program, to offset impacts associated with parks generated by the new residents of the project. Impacts are expected to be less than significant.

**XV. TRANSPORTATION/TRAFFIC**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Setting**

The proposed project is located at the northwest corner of Amado Road and Avenida Caballeros. Avenida Caballeros is designated a Major Thoroughfare, with a 100 foot right of way. The Section 14 Master Plan calls for a 64 foot curb-to-curb street section for this area of Avenida Caballeros, with no parking and a Class I bikeway. Amado Road is designated a Secondary Thoroughfare, with an 80 foot right of way, and a 64 foot paved width, as delineated in the Master Plan.

**Discussion of Impacts**

**a-b) *Less than Significant Impact with Mitigation Measures Incorporated.*** A traffic impact analysis was prepared for the proposed project<sup>11</sup>. The analysis considered the potential impacts associated with 200 hotel rooms and 200 condominiums, and therefore considers more significant potential impacts than those which will result from the

<sup>11</sup> "Westin Hotel and Residences Traffic Impact Study," prepared by Endo Engineering, December 2006.



development of 145 condominiums. The traffic study found that area intersections, both signalized and unsignalized, operate at Level of Service C (LOS C) or better during both the mid-day and evening peak hours. The study further found that the proposed project will generate approximately 2,580 average daily trips at build out, 193 of which will be at the mid-day peak hour, and 224 of which will be at the evening peak hour. The study found that although the proposed project will impact surrounding intersections to varying degrees, none of the intersections will operate at a deficient level of service, with implementation of the proposed project and surrounding proposed projects. Surrounding intersections will operate at level of service C or better at project build out (2009) for both signalized and unsignalized intersections.

The traffic study also analyzed long term potential impacts to the area's circulation system. All signalized intersections are expected to operate at level of service C or better in year 2030.

The traffic study also analyzed volumes at area unsignalized intersections, to determine whether warrants are met for signalization by the year 2030. The analysis found that the intersection of Calle Encilia and Amado Road; Calle el Segundo and Amado Road; and Avenida Caballeros and Amado Road will require signalization to maintain level of service D in the long term. The project will contribute to this need for signalization. This represents a potentially significant impact which requires mitigation.

**Mitigation Measures**

In order to assure that traffic impacts are reduced to less than significant levels, the following mitigation measure shall be implemented.

**MM XV-1.** The project proponent shall contribute his/her fair share to the signalization of Calle Encilia and Amado Road; Calle el Segundo and Amado Road; and Avenida Caballeros and Amado Road.

- c) **No Impact.** The proposed project will have no impact on air traffic patterns.
- d) **Less than Significant Impact with Mitigation Incorporated.** The traffic study analyzed the access to the hotel, particularly as it related to the stacking of vehicles, and the potential for vehicles cuing on Amado Road. The analysis found that there is a potential for congestion at this location, particularly during special events. Since the completion of the traffic analysis, plans for the project have changed, and self parking at the hotel will no longer be available, although self-parking at the parking structure will be available. The hotel will provide for valet parking only at the hotel entrance, which should help to reduce congestion at this location. However, until final plans are determined, there is a potential for significant impact on Amado Road associated with the design of the entry of the hotel. This requires mitigation to reduce the potential impact to less than significant levels.

**Mitigation Measures**

In order to assure that site design are reduced to less than significant levels, the following mitigation measure shall be implemented.

**MM XV-2.** Adequate reservoir capacity shall be provided at the hotel access and the parking structure entrance to assure that cars waiting for entry do not obstruct adjacent Amado Road.

- e) **Less than Significant Impact.** The Fire Department has reviewed the project plans, including turning radii necessary to maneuver the largest of the City's trucks through the area. As plans are refined and finalized, the Fire Department will continue to review them, and will ultimately be required to approve a design which meets standards and assures safe and efficient emergency access to the site. Impacts are expected to be less than significant.
- f) **Less than Significant Impact.** The proposed project will result in the elimination of approximately 400 surface parking spaces currently utilized by the Convention Center at this time. The project, however, proposes the construction of a parking structure which will have a capacity of 511 vehicles. The hotel will require approximately 250 of these spaces for hotel use. Therefore, the parking structure will provide for the replacement of the surface parking lot spaces by providing 261 spaces not assigned to the hotel. Additional parking is being developed by the City at other locations to accommodate Convention Center activities. It is also likely that hotel guests will attend events at the Convention Center, and that the parking requirement for each use will be further reduced by the complementary use resulting from the location of the hotel across from the Convention Center. Overall impacts associated with parking requirements are expected to be less than significant.
- g) **No Impact.** The proposed project is in the vicinity of existing SunLine Transit routes, and residents and visitors will have easy access to transit services. The proposed project is not expected to impact SunLine's capacity. No impacts are expected.

**XVI. UTILITIES AND SERVICE SYSTEMS**

**Would the project:**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Setting**

The City owns a wastewater treatment plant (WWTP) located at 4375 Mesquite Way. The plant has a capacity of approximately 10.9 mgd and demands typically range from 7 to 8 mgd.

Water service is provided by the Desert Water Agency (DWA). DWA obtains most of its water supply from groundwater. The City is located within two subbasins of the Coachella Valley Ground Water Basin: The Mission Creek subbasin; and the Garnet Hill and Palm Springs subareas of the Whitewater Subbasin.

Solid waste service is provided by Palm Springs Disposal Service. Solid waste generated in the City is sent to the Edom Hill transfer station located in the City of Cathedral City. Permitted throughput of the facility is 2,600 tons per day. Solid waste from the transfer station is disposed of

at one of three landfills: Lambs Canyon (remaining capacity 25,967,000 cubic yards); Badlands Landfill (remaining capacity 15,036,809 cubic yards); or El Sobrante Landfill (remaining capacity 184,930,000 cubic yards) (City of Palm Springs, 2005).

Drainage from the surrounding mountains drains to the valley floor and is directed by sheet flow, channels, and other improvements including levees, reinforced concrete pipe and drainage channels to the Palm Canyon Wash and the Whitewater Wash (Smith, Peroni, Fox, 1992). The project site is located in Flood Zone C, which designates areas that are not subject to 100 year flood.

### Discussion of Impacts

- a-b, e) Less Than Significant Impact.** The proposed project will be required to connect to the City's sanitary sewer system. Wastewater will be conveyed to the Palm Springs Wastewater Treatment Plant. The projected capacity of the plant is 10.9 million gallons per day (mgd), with demands typically ranging from 7 to 8 mgd per day. Domestic wastewater flows average about 100 gallons per capita per day<sup>12</sup>. The project could generate a population of 305 residents, and up to 400 hotel guests on any one day (assuming full capacity at the hotel). This on-site population could generate 70,500 gallons per day, or 0.071 mgd. The plant has current capacity in excess of 2 mgd daily. The proposed project will be required to pay connection fees to hook into the existing lines. Impacts are expected to be less than significant.
- c) No Impact.** The proposed project proposes to retain on-site storm water in an underground retention area. The City Engineer will require the preparation of a final hydrology study, when final plans for the project are submitted, to assure that the site's storm water retention system meets all City standards. No impact is expected.
- d) Less Than Significant Impact.** The project proponent will be required to connect to existing DWA water infrastructure available adjacent to the site. Water service requirements may include, but are not limited to, upgrades, modifications, replacement, and abandonment of existing DWA facilities. These improvements may require construction within and adjacent to public rights-of-way and existing and/or proposed easements. Construction will occur in accordance with DWA and City requirements. Impacts are expected to be less than significant.
- f-g) Less Than Significant Impact.** Palm Springs Disposal Service provides solid waste disposal services for the project site, with waste hauled to facilities including the Badlands Landfill and the Lambs Canyon Landfill, both of which have adequate capacity to accommodate the proposed project. In addition, on-site recycling and solid waste source reduction programs will be implemented at project build-out in accordance with local and state requirements, including AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991). Impacts are expected to be less than significant.

<sup>12</sup> "Environmental Analysis Handbook," John Rau and David Wooten, 1980.

**XVII. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

a) **Less Than Significant Impact.** The proposed project does not have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, because the site has been significantly impacted and does not contain native habitats or species of concern. No historic or paleontological resources occur on the site. The project does have the potential to impact archaeological resources. However, mitigation provided in this Initial Study reduces potential impacts to less than significant levels.

b) **Less Than Significant Impact.** The proposed project is consistent with the Section 14 Master Plan, and the General Plan, insofar as it proposes high density residential and hotel development, consistent with the land use designation for the site. The project also meets the policies relating to economic development in the General Plan, insofar as it will widen the City's sales and transient occupancy tax bases. Impacts are expected to be less than significant.

- c) **Potentially Significant Impact Unless Mitigation Incorporated.** The proposed project has the potential to result in significant impacts related to air quality, noise and traffic without mitigation. All potential impacts have been identified and reduced to less than significant levels through the imposition of the mitigation measures as outlined in this Initial Study and the associated special studies.

**REFERENCES**

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Phase One Environmental Site Assessment, MSA Consulting, September 2006

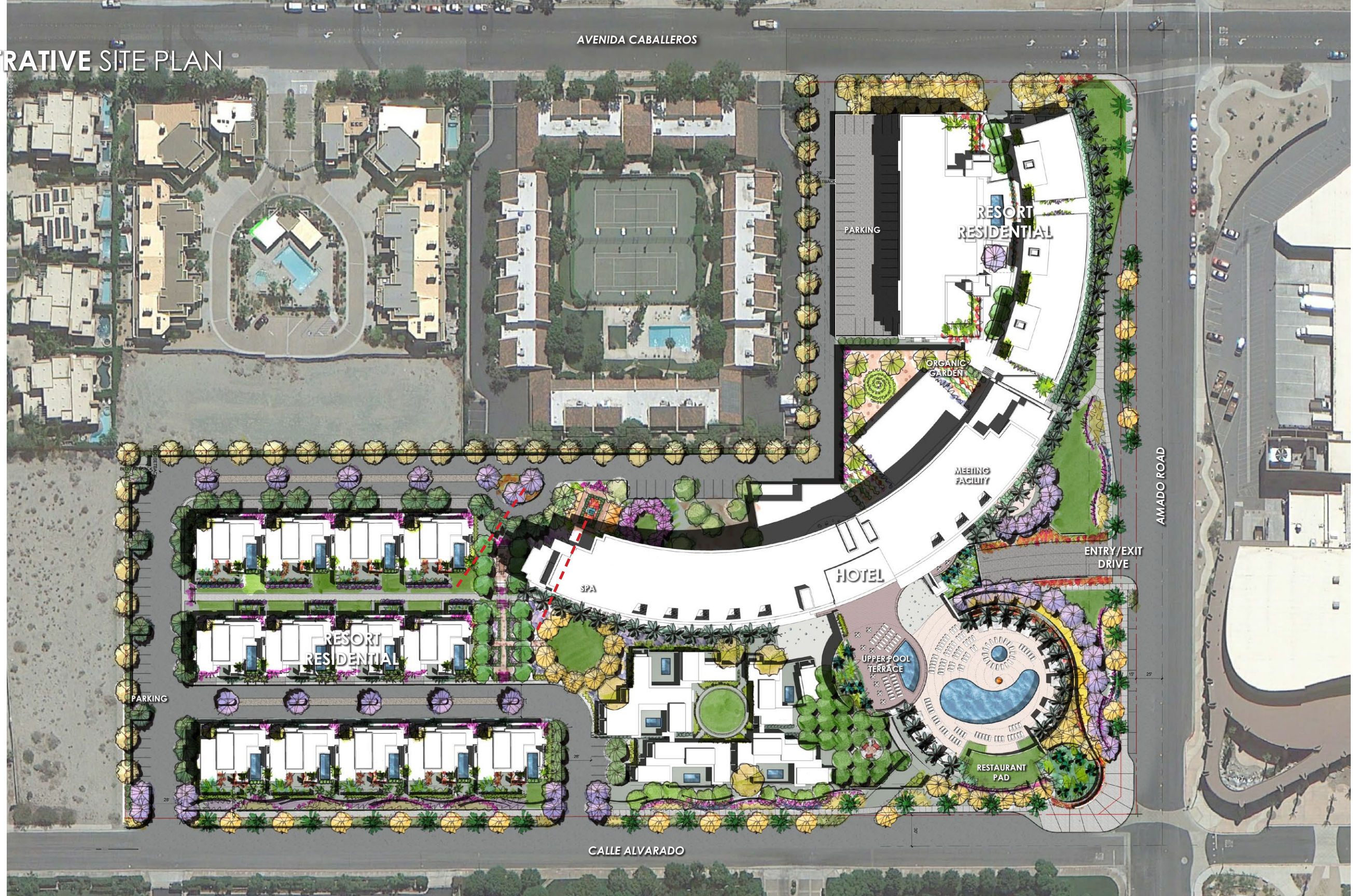
Preliminary Geotechnical Investigation..., Leighton Consulting, November 2006







# ILLUSTRATIVE SITE PLAN



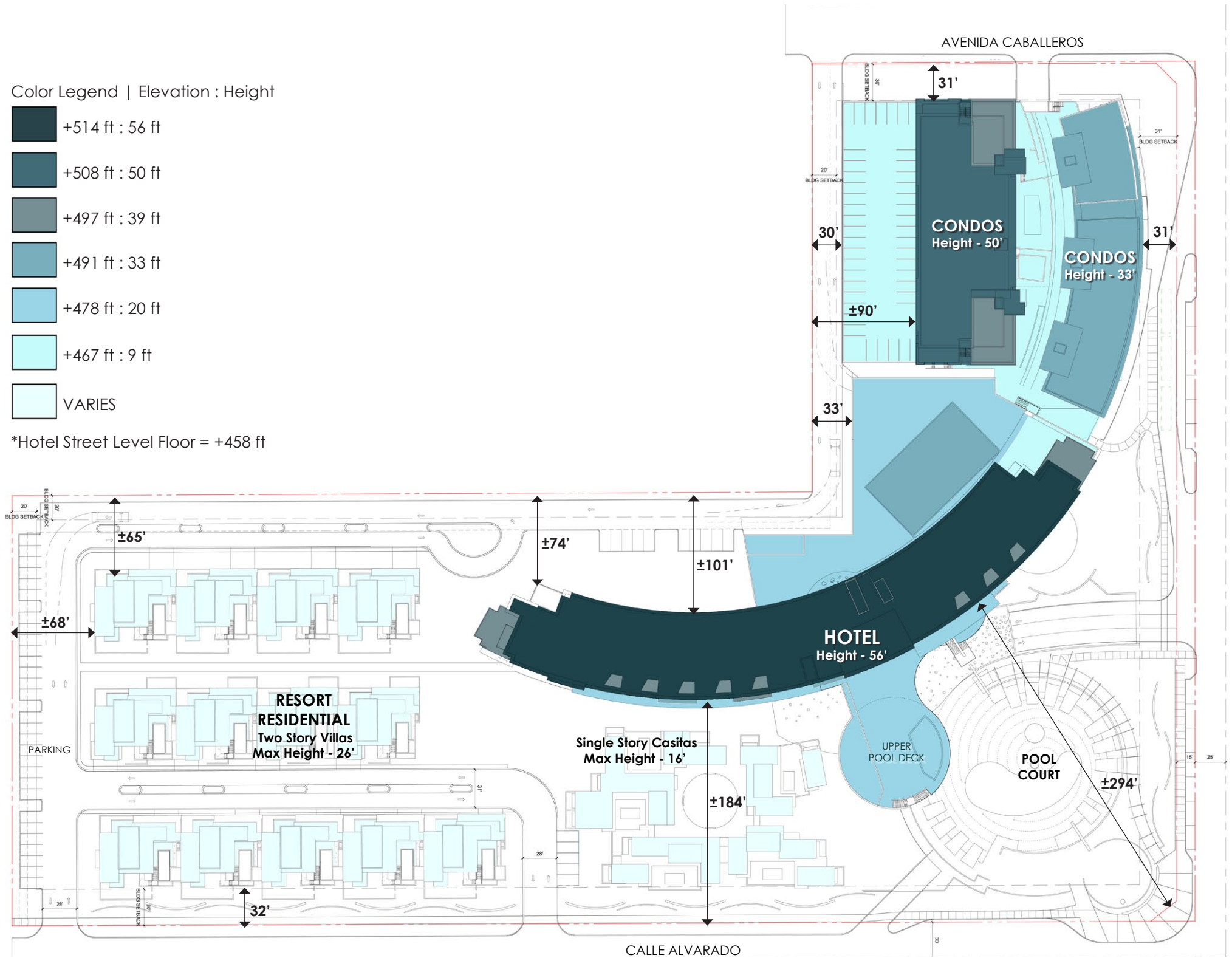


# HEIGHT STUDY

Color Legend | Elevation : Height

- +514 ft : 56 ft
- +508 ft : 50 ft
- +497 ft : 39 ft
- +491 ft : 33 ft
- +478 ft : 20 ft
- +467 ft : 9 ft
- VARIES

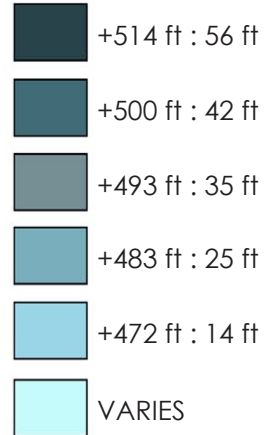
\*Hotel Street Level Floor = +458 ft



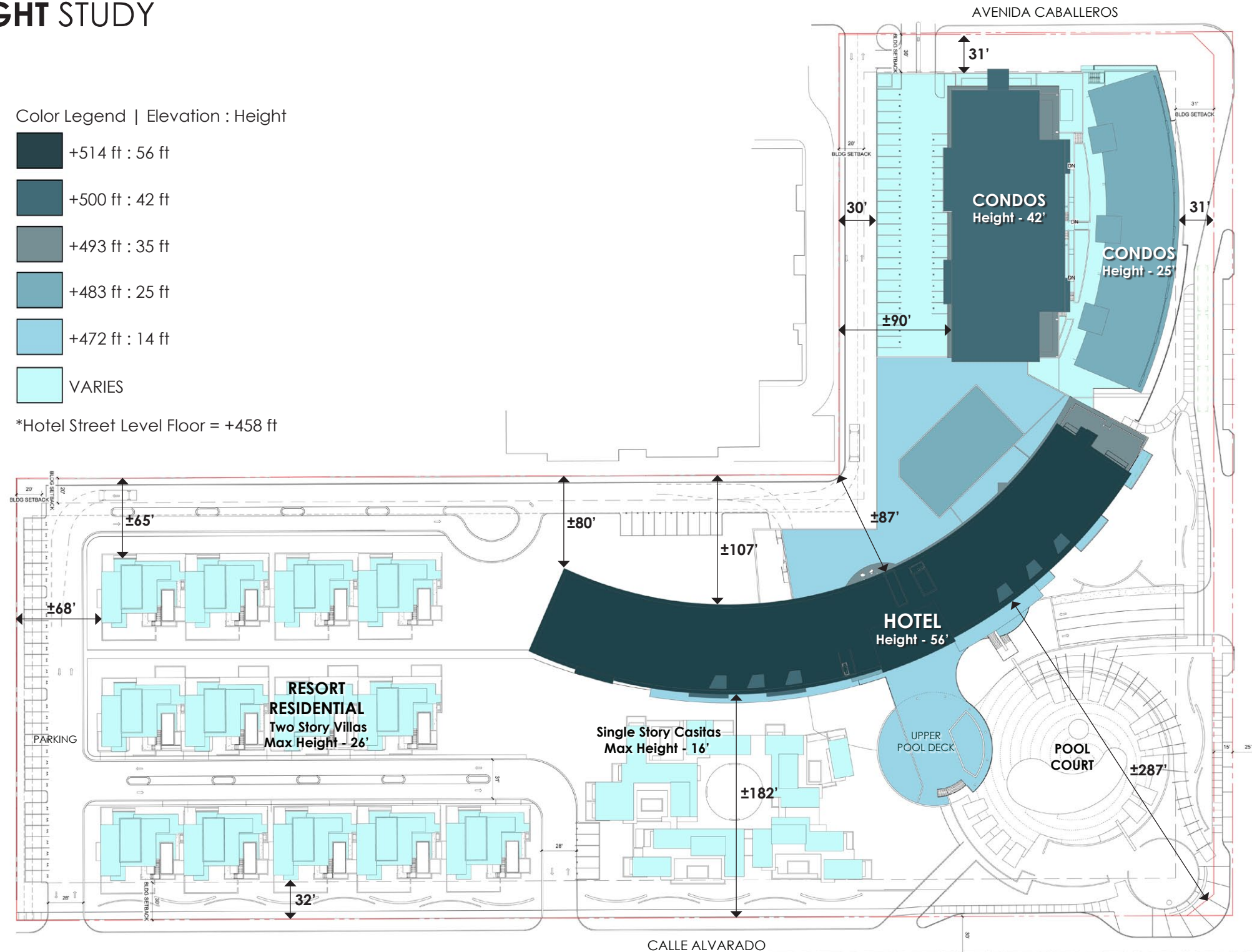
AMADO ROAD

# [REVISED] HEIGHT STUDY

Color Legend | Elevation : Height



\*Hotel Street Level Floor = +458 ft



AMADO ROAD

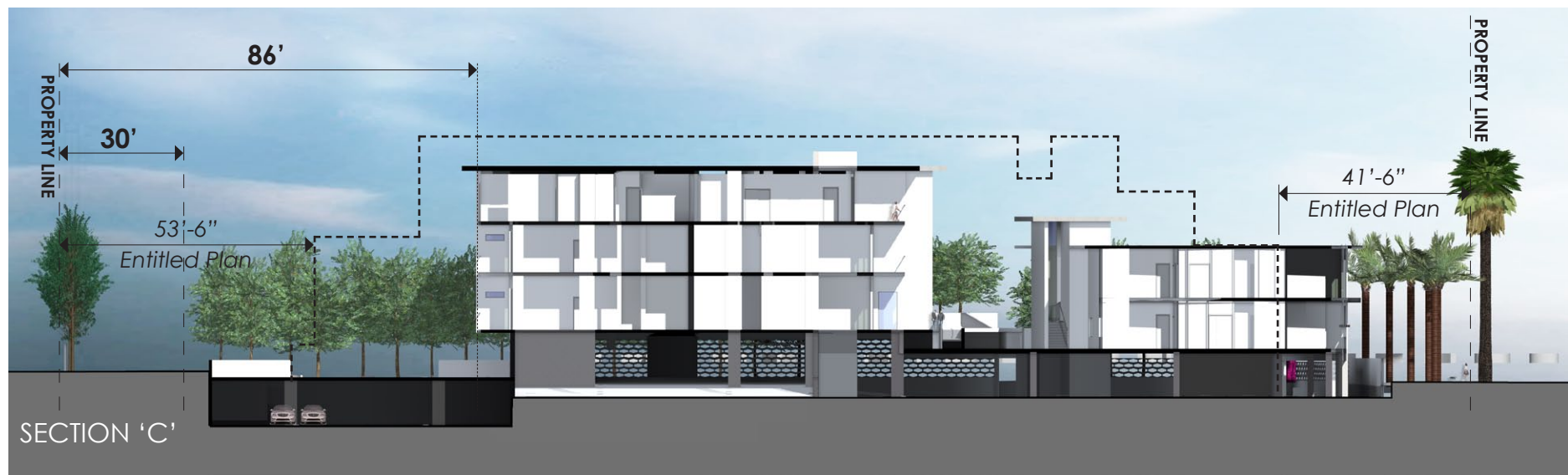
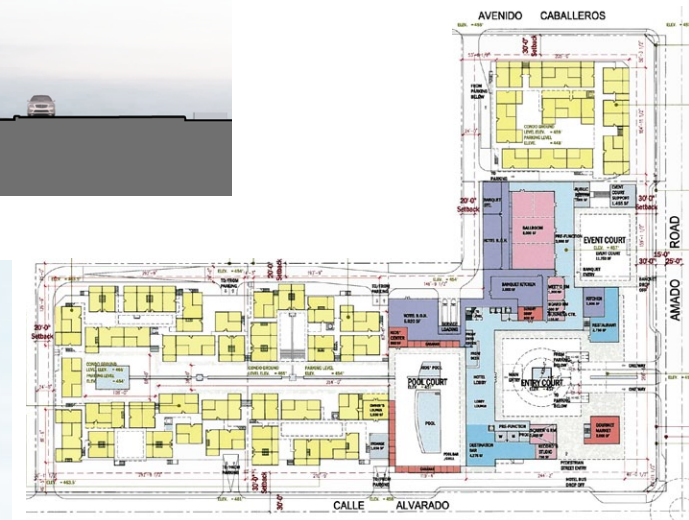


# SITE SECTIONS



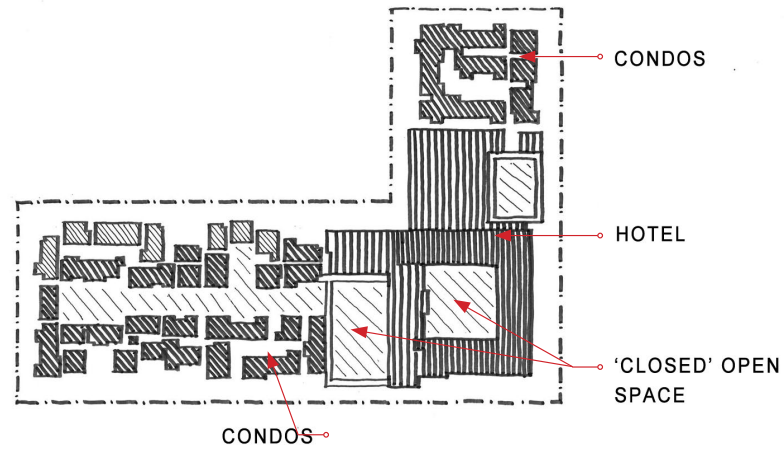


**[REVISED] SITE SECTIONS**



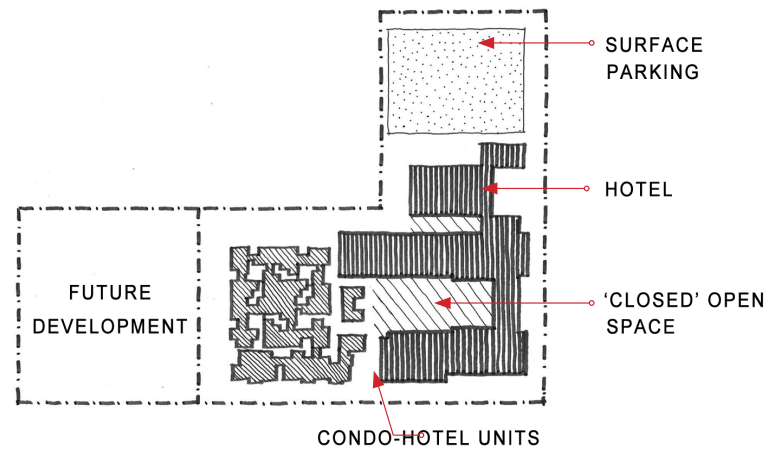
# PROJECT ENTITLEMENT COMPARISON

## I. ENTITLED PLAN [Starwood - Approved 07.18.07]



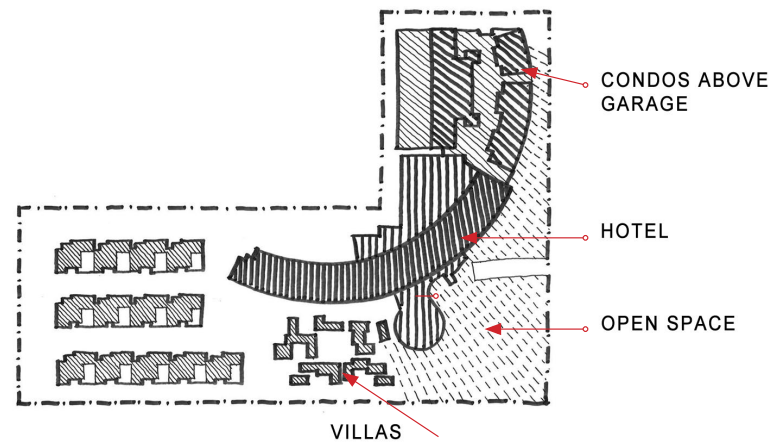
- o 400 units
- o 349,860 sf of building on 444,583 sf site

## II. AMENDED PLAN [Mondrian - Approved 06.03.09]



- o 250 units (PHASE 1 of 3)
- o 213,184 sf of building on 328,583 sf site  
(Excluding 116,000 sf of future development)

## III. CURRENT PLAN [DOLCE Palm Springs]



- o 250 units
- o 310,636 sf of building on 444,583 sf site